

## EXTENSIONS OF REMARKS

LET'S PRESERVE FOR FUTURE THE  
HERITAGE OF THE PAST

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1976

Mr. BOB WILSON. Mr. Speaker, our Bicentennial is a time for us to pause and reflect on the accomplishments of our first 200 years. But more, it is a time to examine where we are going and how we are going to get there. At times, we have had some rough going these last two centuries, but the American people have always risen to the occasion. On the other hand, our future holds new problems for us. But as Mr. Clinton Morrison said at the opening session of the annual meeting of the Chamber of Commerce of the United States, if we set our minds to it, we will succeed in preserving for the future the heritage of the past. I commend his remarks to the attention of my colleagues:

## KEYNOTE ADDRESS

This is our Bicentennial year. It is therefore not by coincidence that the National Chamber has selected for this Annual Meeting the theme: "200 Years of Prologue."

"Prologue" is a term used in drama for the introductory act to a story that will develop in succeeding acts. If our Bicentennial is to have some lasting significance, then it seems to me that we are celebrating our past two centuries as an introduction to a greater drama to follow; a drama that will unfold fully in the richness of time.

This Bicentennial year has given us cause to reflect, to review the past, to pay tribute to our accomplishments and to take heed of the lessons learned.

"History repeats itself" is more than a cliché. For history *does* repeat itself, and often in ways suggesting that we do not learn from the mistakes of the past. Nor do we learn from the successes of the past. We fail to sustain and nourish those principles and strengths that have made us a strong, dynamic people.

Our Founding Fathers left us a great heritage: A philosophy of freedom and the remarkable documents that have helped us maintain it; a tradition of freedom to create, to achieve, and to enjoy the rewards of that achievement. It is time to rededicate ourselves—as individuals and as a nation—to these important principles.

The ability of a nation to survive—history tells us—is dependent on its people having a faith, a star in the sky, a will, a determination, a belief in a set of aims, in a set of hopes, in something greater than themselves.

Do we have that faith today? Are we determined to reserve our heritage? Will we have the strength to make the tough decisions and the fortitude to make the personal sacrifices that those decisions may entail?

Will we face the painful tradeoffs between ideal environmental protection and economic property? Or will we continue to pretend that we can have the best of both simultaneously, while evidence piles up to the contrary?

Will we assume more self-reliance, or will we continue to ask for government help with problems we should manage ourselves? (And that goes for those of us in business, as well as those of us on welfare.)

Will we do what we must to prevent the collapse of the Social Security system? Or will we go on papering over cracks, while the cracks widen?

Will we have the wisdom to correct the imbalance in our economic incentives—so that saving and capital accumulation are favored over consumption?

Will we overrule the demagogues and reform the welfare system—to provide efficiently for those in genuine need, to provide incentives for those who require them, and to provide a quick exit for the parasites?

Will we rescue our energy supplies from the dead hand of bureaucracy and the blighted assaults of political opportunism?

Will we remember our Constitutional obligation "to provide for the common defense" before it's too late?

These are just a few of the tough decisions ahead of us. In each case, it is not so much a matter of choosing between rights and wrongs, but rather, of choosing between rights and rights—and such choices are infinitely more difficult to make.

But really, what it all boils down to is this: Do we value the present enough to work and sacrifice for the future?

Or are we now inclined to take the easy way out? To look for simple solutions to complex problems? To look for scapegoats, somebody to blame, somebody to criticize, some excuse for failure?

We live in a highly complex, interrelated world. Much more complex and much more interrelated than our forefathers ever imagined. Our problems are different from theirs. So are many of our procedures. Material aspirations have changed but the principles that provided the foundations for our nation are just as applicable now as the day they were written.

In years just passed we seemed in danger of losing our way. We were becoming, at one and the same time, both less free and less unified. Opportunities became confused with rights, rights confused with benefits, and responsibilities were forgotten completely.

Time and again we have tried to resolve the most enduring problems of mankind with panaceas, slogans and hastily conceived programs; programs valued not by their success but only by the magnitude of the resources devoted to them.

We are still a young nation imbued with an idealism, and God bless us for it. But, we are often romantically, impractically, blindly utopian. It is probably our youth.

It is probably an ingrained feature of human nature to avoid the difficult and the unpleasant and to substitute what comes easier. It is probably part of human nature to confuse dreams with reality; to confuse the ideal with the possible.

As we enter our third century we need to do a better job of reconciling our dreams and our sense of the possible. We need to remind ourselves that while the patriots of 200 years ago dreamed of a free and democratic society, they also knew that only sacrifice, hard work and, indeed, their own blood, could make their dream a reality.

There is every indication across America that we are becoming disenchanted with the easy way out; that we are ready to establish for ourselves and our nation goals that take into account not only our dream of a better life but also the costs of achieving it.

There are indications that we are beginning to recognize far more clearly certain trends that history has taught us can lead only to social, political and economic disaster—trends nourished by illusions of something for nothing.

We see Congress—for the first time—struggling to establish a rational budget-control process. It is an effort that the members of our great organization may take legitimate pride in having brought about. It is an effort that deserves and requires our continuing support.

There is literally no more important project on the national agenda. The twin scourges of inflation and unemployment will

not be conquered until we master our fiscal profligacy.

We no longer see the violent demonstration. Our young have abandoned revolution in favor of constructive pursuits. This year's college freshmen rate "business" number one, both as a probable major and as a career choice. Opinion polls show the American people—of all ages—growing more mature.

And finally, we see a heartening revival of appreciation for the need to limit the extent of government intervention into our lives. There is a widespread recognition that the welter of regulation and red tape has gone too far; that even good ends do not justify the progressive loss of freedom.

More and more Americans are serving notice that we as a nation must continue to be determined "to secure the blessings of liberty to ourselves and our posterity", and that our representatives ignore that determination at their peril.

So we are meeting today at a time of transition. There is a continuing need for vigilance. But there are also grounds for cautious optimism. We still have the power to control our destiny, if we have the will to use it.

The prologue has been played and the curtain is rising for the next act. We are the cast.

Our mission is clear: To advance human progress through an economic, political and social system based on individual freedom, incentive, initiative, opportunity and responsibility.

But do we know our lines? Two hundred years from now, will our descendants say that we played this next act well?

It has been said—wisely, I think—that "one can measure the strength of a democracy in direct proportion to the voluntary effort that takes place". So it's up to us. You me, everyone.

I for one have great faith in us as a people and as a nation. I am confident that we will play a role with wisdom, sensitivity and compassion, and yet with a determination and a strength that will preserve for the future the heritage we have received from the past.

Tom Paine's words remain as true today as they were in 1776: "The cause of America is in great measure the cause of all mankind."

## JOSHUA TREE WILDERNESS

HON. SHIRLEY N. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1976

Mrs. PETTIS. Mr. Speaker, earlier this year I introduced H.R. 12061, to establish the Joshua Tree Wilderness within the Joshua Tree National Monument, Calif. The National Parks and Recreation Subcommittee, as part of its consideration of various wilderness proposals, reviewed my plan and incorporated it into H.R. 13160, the comprehensive wilderness bill.

Since so many of my colleagues in this body are not from desert areas, I would like to bring to their attention a fine article which tells about the Joshua Tree National Monument and indicates the need for my wilderness proposal:

MORE VISITORS THAN EVER SEE "VERY SPECIAL DESERT"

(By Bob Craven)

The Joshua Tree National Monument sits like a giant enclave of space and stillness as it forms part of the northern tier of

Riverside County, where most of the 870 square miles of this "very special desert" are located.

"It is a very special desert because it's where the Mojave and Colorado deserts meet," said Edmund Jaeger, Riverside resident and one of the world's leading desert naturalists. "Those are two different types of desert and their coming together is what makes Joshua Tree special."

Recognizing this, the federal government designated the 550,000-acre wonderland of rocks, plants, valleys, and stark mountain ranges a national monument in 1936 to preserve what the U.S. Department of the Interior calls "a uniquely representative portion of the vast California desert." (Historic and scenic sites of special interests are designated as "monuments" to assure their preservation.)

Joshua Tree National Monument's uniqueness was further recognized in 1972, when the National Park Service recommended setting aside 372,700 acres in the monument as wilderness—to be untouched as much as possible by the hand of man—and prepared a natural resources management plan to preserve "as a composite whole the natural ecological processes and unique geographic features for which the monument was originally set aside."

Park service officials said this was necessary to counter pressure from mining interests, many of which continued to operate in the monument after 1936 because they were already established, and because it is within a day's drive of 10 million people.

The effort now is to make the area available to as many people as possible without damage to the natural features.

"There's no mining going on in the monument now," said Supt. Homer Rouse. "All of the mines are being fenced off. We want people to be able to come and enjoy the monument without falling down a mine shaft."

There are more visitors all the time. Last year, 554,000 people entered the monument through its main entrance in Twentynine Palms, while uncounted thousands of others entered at other major entrances south of Cottonwood Spring and near the community of Joshua Tree, said Rouse. The number of visitors so far this year is 10 per cent higher than at the same time last year, he added.

What is available to these visitors is some of the most magnificent desert scenery in the world, including the majestic Joshua tree, and vast reaches of space and solitude.

"There are just hundreds of places where a person can go," said Lucile Weight, a local resident who has been exploring and writing about the area since 1939. "You can park your car and walk just a little distance and feel completely away from the world."

This feeling starts within moments after leaving the park headquarters and visitor center in Twentynine Palms, heading south into the monument.

"The monument represents two desert ecosystems," Rouse explains as he drives along one of the roads in the system of paved and dirt roads that permit car travel to many points of interest. "There's the high desert, which is above the 3,000-foot level, and the low desert. These deserts meet in the monument."

Right now Rouse is in the high desert. Joshua trees—which are a species of yucca—abound on both sides of the road. The Joshua tree can grow as high as 40 feet, bearing cream-white blossoms at the ends of its angular arms. Mormon pioneers are credited with giving the plant its name because of its upstretched arms that could be taken to be in a praying position.

Rouse says the blooms probably won't come until late this month, because this is a dry winter. Some years, he said, the Joshua trees don't bloom at all.

The road is losing elevation and soon enters

what Rouse calls "an ecological transition zone" where Joshua trees and plants typical of the lower, or Colorado, desert are intermixed on the landscape. At least 600 different species of plant life have been identified in the monument, ranging from the creosote bush that is typical of the low desert to juniper and pinyon pine, which grows between the 4,500- to 6,000-foot level in the western part of the monument.

"The highest part of the monument is the western part," Rouse says. "We're heading now toward the Pinto Basin, which is the southern part and the lowest."

Rouse stops at a back country use area, one of a number of such spots where people can register and then hike back into the wilderness. Hikes into the back country can be pleasant, says Rouse, but the hiker must take everything with him.

"There's no water, no firewood, nothing," he says. Even if such material as firewood were available, regulations prohibit taking or using any minerals or vegetation, or harming or disturbing wildlife. "It's not the kind of camping everybody would enjoy, but you can really get away from it all out there," Rouse says.

Back on the road, the Joshua trees become sparse. To the southeast, the lower desert is visible in the distance, a valley framed on both sides by mountains.

"Those are the Hexie Mountains," says Rouse, pointing to the mountains to the west. To the southeast are the Eagle Mountains. They look forbidding, but have a strange beauty that changes form and color as clouds come and go across the face of the sun.

"We're going down quite rapidly. We're losing the Joshua trees. The Joshua tree is the indicator of the high desert," says Rouse.

General vegetation also grows more sparse. "The lower you get the scarcer the moisture, and the more scattered and open the plant life," Rouse says.

Suddenly, however, an explosion of plant life—low desert type—appears on both sides of the road.

It's the cholla cactus garden, an area where this particular type of cactus grows in profusion. Rouse says there are actually two types of cholla at this location—teddybear cholla, "which looks soft," and holy cross cholla. A self-guiding nature trail gives information on the plants and animals of the area. For a dime, the visitor draws from a box a pamphlet which explains what he's seeing along the trail.

Rouse turns the car around and heads back north, to the Mojave desert part of the monument. After climbing to an elevation of 3,800 feet, he stops at White Tank campground, one of nine campgrounds in the monument and one of five where magnificent rock formations dominate the landscape.

The boulders are composed chiefly of quartz monzonite, he says, a rock similar to granite. Elsewhere in the monument dark Pinto gneiss forms many of the boulders and mountains. Many of the geological formations date back 800 million years, and the way they are cracked, split, sculpted, and strewn about the land is graphic evidence of the forces that shaped the area.

"You can get a completely different feeling in just a few seconds around these rocks," says Rouse, clambering over the massive boulders. One moment it was all open, the sky and horizon stretching infinitely in all directions. Then Rouse enters a small, enclosed part of the formation, and all of the outside world vanishes. It's just the walls of rock all around, and a sense of the ages that went into their making.

"See what I mean?" he whispers, and even the whisper seems loud in that silent place.

Back in the car, Rouse heads for one of the highest parts of the monument—Keys View, formerly Salton View, 5,185 feet. He explains it was renamed in honor of Bill

Keys after the colorful prospector and rancher died in 1970.

Rouse points out the Jumbo Rocks campground, "the largest campground in the system," with 130 sites. As with all of the other established campgrounds in the monument (except at Cottonwood Spring, where there are flush toilets), it offers only minimal accommodations—tables, fireplaces, and pit type toilets. There is no water or fuel. The same conditions prevail at the two developed picnic sites in the monument and the numerous undeveloped picnic sites scattered throughout it.

Through Queen Valley, patches of snow begin to appear. The elevation is about 4,500 feet. "There's a type of flower in here known as the Mojave mound," Rouse says, "when it gets warmer it will turn quite red."

Farther along, past the Wonderland of Rocks, the most massive rock formation in the monument, and the Sheep Pass campground, other types of vegetation start to come into view.

They aren't the types one usually thinks of in connection with a desert. They are juniper trees, an evergreen, and pinyon pines. "You get almost an alpine feeling up here," says Rouse. It's cold and there's snow on the ground.

Other areas of the monument climb to nearly 6,000 feet and are therefore higher than Keys View, but the vista from that spot is unsurpassed.

Nearly a mile below is the sea-level floor of the Coachella Valley, flanked on the west by Mt. San Jacinto, towering 10,786 feet into the sky. Palm Springs nestles against the foot of the mountain, and farther to the south, partially hidden in mist, is Indio and the date groves that surround it.

"Sometimes you can see all the way into Mexico," says Rouse. "When it's clear."

Next stop is the Desert Queen Ranch, not strictly a part of the natural environment of the monument but a fitting part of it nonetheless. Located near an area known as Lost Horse Valley, the ranch was homesteaded in 1917 by Bill Keys. Keys survived where others had failed, eking out a living by mining and ranching, but taking advantage of the limited resources available and making the most of them.

"Some people have called this a magnificent junkpile," says Rouse as he walks among the remains of the ranch, which has now been declared eligible for the National Register of Historic Places. The property is an assortment of weather-beaten buildings and mining equipment that Keys invented and built himself. It is being preserved as it was at his death and the public can visit only during public tours guided by park rangers.

"People are fascinated by this place," Rouse says. "It doesn't sound like much when you're just talking about it, but when you actually see it that's something else."

Aside from the Desert Queen Ranch, though, the appeal of Joshua Tree National Monument is simply what nature has made. Unfortunately, not everybody appreciates this, Rouse laments.

"Motor cyclists invade the Pinto Basin in droves. Riding off established roads and trails is illegal in the monument, but for every cyclist you catch there are 100 you don't. They leave scars on the land that will last for years."

Another problem is people with spray paint cans, Rouse says. "They like to put their names on the rocks. They don't realize what a blight that is to the natural environment. It's an insult to anyone else who comes along."

The monument is there to be enjoyed, Rouse says, and the best way is to follow the advice given in one of the booklets about the area. It says:

"The joy is in the discovery! And if you observe, and do not disturb, the web remains complete for someone else to discover."



**"JENSENISM: THE BANKRUPTCY  
'SCIENCE' WITHOUT SCHOLAR-  
SHIP"**

**HON. PARREN J. MITCHELL**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1976

Mr. MITCHELL of Maryland. Mr. Speaker, a couple of years ago and several times hence, an article by the educational psychologist, Prof. Arthur R. Jensen of the University of California, Berkeley, was printed in the CONGRESSIONAL RECORD. In his article Jensen attempts to prove his theory that intelligence is largely determined genetically, and that as evidenced by their lower IQ test scores as compared with whites, blacks are intellectually inferior mainly due to heredity and not environment. Jensen further expounds on this theory by blaming the "inverse relation between heritability and teachability" for the failure of compensatory education programs.

Unfortunately, the Jensen theory, mostly documented by a gross misrepresentation of the facts and thereby lacking any scholarly scrupulousity, has already received far too much publicity. I hate to add to the public attention of this distasteful matter. But in the interest of rebutting his unfounded theory, and for the benefit of all of my colleagues as we are charged with the responsibility of structuring domestic policy, I, in conjunction with four of my colleagues, am submitting for the RECORD, a portion of the article entitled, "Jensenism: The Bankruptcy of 'Science' Without Scholarship," by Jerry Hirsch, professor of psychology at the University of Illinois at Urbana-Champaign.

The article follows:

Jensen also reproduces his two versions of Robinson's distorted figure in the June 1972 issue of *Educational Researcher*—house organ of American Educational Research Association, of which he was Vice President—alleging there that "the graph can be found also in Fuller's & Thompson's *Behavior Genetics*, p. 214."<sup>1</sup> His deception is again revealed when we actually do consult Fuller and Thompson, page 214 as shown in my Fig. 5 (not reproduced).

In Thompson's original and in Fuller's and Thompson's figure, the maximum difference between graphed coordinates is shorter on the ordinate than on the abscissa, whereas in all the Jensen-Robinson so-called reproductions this relationship has been reversed: the maximum difference between graphed coordinates is shorter on the abscissa than on the ordinate. Also Thompson's original has only 11 steps on the ordinate scale, each 20 units apart, whereas in the Jensen-Robinson distortions the ordinate scale has been stretched and "improved" to show 17 steps, each 10 units apart. The point at issue is scholarly integrity. Certainly the scientific community has not been awaiting a possible.

Further examination of Robinson throws still more light on the nature of Jensen's scholarship—page 777 of Robinson's bibliography lists the Thompson 1954 reference as occupying pages "209-331." Whereas on page 122 of his own bibliography Jensen inflates it to appear as pages "209-331." (Robinson's paginations are of inconsistent style: the immediately preceding reference in Robinson appears as pages "323-7" and the succeeding one as pages "116-22.") Since Jensen has

finally admitted not consulting Thompson—his own reference—he had to "invent" the missing digit. He cannot claim to have made a copying error in transcribing it from either Thompson or Robinson.

TABLE 3.—Estimated Prevalence of Children With IQs Below 75, by Socioeconomic Status (SES) and Race Given as Percentages (Heber, 1968)

SES	White	Negro
1 (High)	0.5	3.1
2	.8	14.5
3	2.1	22.8
4	3.1	37.8
5 (Low)	7.8	42.9

(Fig. 6. Unchanged from A. R. Jensen, "How Much Can We Boost I.Q. And Scholastic Achievement?" *Harvard Educational Review*, Vol. 39 (1969), p. 83.

Jensen's misrepresentations are legion: for the material presented in Table 3 (my Fig. 6) on page 83,<sup>2</sup> he refers readers to Heber 1968. This reference is wrong both on his pages 83, 91, 97 and in his References; first because actually the paper is authored by Heber and Dever,<sup>3</sup> second, and more importantly, the error does not turn out to be simply the inadvertent omission of the second author's name by Jensen or possibly even by Heber from a preprint, because the material in Table 3 does not come from the reference to which it is attributed, but rather it has been taken from an entirely different publication, bearing an entirely different title, and written not by Heber alone, but by three authors, Heber, Dever and Conry.<sup>4</sup> Furthermore, inexcusably the material in Table 3 purports to represent comparisons between intelligence scores of different genotypes (races) under the "same" environmental conditions, i.e., Negro-white comparisons with respect to prevalence of children with I.Q.'s below 75 at each of five socioeconomic statuses. This is a disgraceful misrepresentation, because, on tracing the material back to its original sources, as can be done through the reference provided here but not through that to which Jensen attributed it, I find that the data for whites came from the 1937 heterogeneous Terman-Merrill<sup>5</sup> sample drawn from 11 scattered states—California, Colorado, Indiana, Kansas, Kentucky, Minnesota, Nevada, New York, Texas, Vermont and Virginia—whereas the black was what in 1963 Kennedy, Van De Riet and White<sup>6</sup> called "a large, homogeneous sample" drawn exclusively from 5 clustered southeastern states—Alabama, Florida, Georgia, South Carolina and Tennessee. Note also that the original two publications, from which these data have been drawn, are separated by 26 years—no spatiotemporal comparability whatsoever!

Jensen also misrepresents the Heber et al.<sup>7</sup> treatment of the typical falling I.Q. curve with increasing chronological age among disadvantaged children of mothers having I.Q. less than 80 (Jensen's Fig. 10, page 63; their Fig. 7, page 9) by alleging that "They studied the families of 88 low economic class Negro mothers . . ." (page 62) and that they used "A representative sample of 88 mothers . . ." (page 91; italics added in both quotations), when the original authors explicitly state on their page 7: "We have studied the families of 88 low economic class mothers residing in a set of contiguous slum census tracts in the city of Milwaukee. . . . For our survey, we selected 88 consecutive births. . . ." (Italics added) Nothing in the original report identifies the race of the families, and the authors explicitly label their sample as "selected," not representative. Professor Dever informs me (private communication) that "In fact, the data were gathered from both white and black mothers!"

Professor Dever objects strongly to Jensen's misuse of the two papers carrying his name: "Neither paper can be held up as being supportive of a genetic hypothesis for re-

tardation, although we certainly had to face that question. . . . Jensen (page 92) quotes our statement: "The conclusion that changes in the social environment can cause very large increments in I.Q. for the cultural-familial retardate is not warranted . . ." (on the basis of the studies we reviewed.) If Jensen had to hold us up as authorities in this area, the least he could have done would have been to make it known that we had also reached the conclusion that the genetic viewpoint was equally untenable on the basis of the data which we reviewed (much of which was also reviewed by Jensen).<sup>8</sup> And Professor Heber stated that his findings were "grossly misinterpreted" by Jensen.<sup>9</sup>

On page 87 Jensen sinks to citing as an "authority" and then distorting the message of a then 3-year old mass-media magazine article<sup>10</sup> by lifting out of context from the first column of its six-column discussion the "fact" that "The largest sampling of Negro and white intelligence test scores resulted from the administration of the Armed Forces Qualification Test (AFQT) to a national sample of over 10 million men between the ages of 18 and 26. As of 1966 the overall failure rate for Negroes was 68 percent as compared with 19 percent for whites" (*U.S. News and World Report*, 1966)—even though immediately adjacent to the single sentence on which he based the foregoing discussion is the table appearing as my Fig. 7. Furthermore, about 20 lines above that sentence is an accurate reference to the original study on which the article is based and in which we find the explicit statement "Failure rates clearly and consistently relate to geographical areas. Year after year, men from the West and the Midwest perform better than those from other parts of the country. In the special study of 18-years olds their failure rate was only half the national average, while men from the South were failing at twice the national rate."<sup>11</sup>

#### EDUCATIONAL THEORY

#### HOW REGIONS AND RACES FARE IN DRAFTEES' MENTAL TESTS

[Year ended June 30, 1966—Percent failing Armed Forces qualification test]

	White draftees	Negro draftees	All draftees
South: Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee . . . . .	18	68	31
South-central: Arkansas, Louisiana, New Mexico, Oklahoma, Texas . . . . .	12	57	20
Northeast: Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, Delaware, District of Columbia, Kentucky, Maryland, Ohio, Pennsylvania, Virginia, West Virginia . . . . .	12	45	15
Midwest and West: Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin, Wyoming, Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, Washington . . . . .	8	37	10

Note: Data are for Army areas; Alaska and Hawaii are not included.

Source: Office of the Surgeon General, U.S. Army, Fig. 7. Unchanged from "Mental Tests for 10 Million Americans—What They Show," *U.S. News & World Report* (Oct. 17, 1966), p. 78.

R.B. Cattell departed England for America (where my University of Illinois squandered a career-long research professorship on him) after he was exposed in 1937 by the incomparable J. S. B. Haldane as a propagandist purveying misinformation.<sup>12</sup> Over Cattell's subsequent recantation the editors published their disclaimer stating "the author alone is

Footnotes at end of article.

responsible." His "errors" appeared in a paper bearing the notoriously alarmist title: "Is National Intelligence Declining?" which often repeated alarm he continues to proclaim with unshakable faith even though no evidence has been forthcoming in almost two human generations.<sup>64</sup> In Haldane's words: "Dr. Cattell writes that his statement as to the inheritance of feeble-mindedness 'was obviously intended as one of a number of general introductory approaches to the subject of intelligence inheritance for the non-technical reader,' and then proceeds to chide those who 'look for precision regarding a concept which is by its nature incapable of being defined precisely.' In fact he draws a sharp distinction between scientific and propagandist statements and evidently classes his own with the latter."<sup>65</sup>

Of course, the leopard did not change his spots in the new environment. Thirty-odd years later it was necessary for Illinois colleague H.W. Norton to warn: "...the statistical analyses reported by Cattell et al. are incorrect and the 'results' they report should be ignored."<sup>66</sup> Once again, like disgraced Vice President Spiro Agnew, Cattell pleaded *non contendere*—this time he had thrown away his data!<sup>67</sup>

Now in a new generation we find Cattell's ultra-modern counterpart posing the same eugenic question beginning on page 93 in the section entitled "Is Our National I.Q. Declining?" and concluding on page 95: "Is there a danger that current welfare policies, unaided by eugenic foresight could lead to the genetic enslavement of a substantial segment of our population? The possible consequences of our failure seriously to study these questions may well be viewed by future generations as our society's greatest injustice to Negro Americans"—a philosophic credo important enough to Jensen for him to republish as a separate statement three years later.<sup>68</sup>

The "scientific" jurisdiction for this reiterated Hitler-type recommendation (treating an inferior race with "eugenic foresight") includes the following misinforming readers that: "A number of studies have shown that in populations practicing a high degree of assortative mating, . . . (Bajema, 1963, 1966 . . .). Since assortative mating . . . in the long run may have a eugenic effect . . ." (pp. 36-37) and going on to claim ". . . average generation time . . . is significantly less in the Negro than in the white population. Also as noted in Bajema (1966), generation length is inversely related to educational attainment and occupational status; therefore a group with shorter generation length is more likely subject to a possible dysgenic effect." (p. 95) Consultation of Jensen's Bajema references, however, will do nothing to restore our confidence in Jensen's integrity as scientist-scholar, to wit: "The degree of positive assortative mating in relation to intelligence was not determined for the population under study" (Bajema 1963, p. 183) and Bajema (1966) was a further study of the same population. There we find the following contradiction: "There is a positive relationship between educational attainment and generation length (table 5)," and "The negative relationship between educational attainment and generation length for both sexes in this study. . . ." Bajema's first statement about "positive relationship" incorrectly refers to Table 5 when the supporting data are actually in his Table 6. The contradictory statement about "negative relationship" appears on the very next page in Bajema's summary, which could be all that Jensen consulted. Note also that Jensen's statement about a relationship to occupational status is another misrepresentation: Bajema (1966) does not even consider occupational status. (Italics added throughout my use of the Bajema material.)

In other words, Bajema published two mutually contradictory statements on two

consecutive pages, one of them "justified" by reference to the wrong data table in his own paper, and Jensen adopts the one that supports the white supremacist philosophy. In the second of his two reviews of the same (=unchanged, even though republished with "corrections") material, is this on what economist Vernon based his carefully worded reassurances: "Although he [Jensen] regards it as important to study race differences, he is certainly not a 'racist' and he at no time preached any kind of discrimination against 'inferior' races."??

## FOOTNOTES

- <sup>64</sup> *The Citizen*, March and April, 1971.  
<sup>65</sup> C. V. Woodward, *The Strange Career of Jim Crow* (New York: Oxford University Press, Second Revised Edition, 1966), p. 152.  
<sup>66</sup> J. W. Peltason, *58 Lonely Men* (Urbana: University of Illinois Press, 1971).  
<sup>67</sup> "Desegregation Proposals for State Colleges Announced—Fund Cutoff Averted," *The New York Times* (June 22, 1974).  
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# DISPOSAL OF AGRICULTURAL COMMODITIES OF 1975 NOT DELIVERED TO INDOCHINA FOLLOWING VIETNAM AND CAMBODIA TAKE-OVERS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1976

Mr. HAMILTON. Mr. Speaker, I would like to bring to the attention of my colleagues information on the disposal of commodities en route to Vietnam and Cambodia when the government of these countries fell in early 1975. Some of these commodities were donated and others were resold to third states at substantial loss.

This information relates to a General Accounting Office study prepared for the Special Subcommittee on Investigations of the House International Relations Committee on the status of funds appropriated for economic and food aid to Indochina prior to the collapse of the Thieu and Lon Nol regimes.

Following is correspondence with the Department of Agriculture relating to frustrated Public Law 480 title I sales commodities:

HOUSE OF REPRESENTATIVES,  
Washington, D.C., April 26, 1976.

HON. EARL L. BUTZ,  
Secretary of Agriculture, Department of Agriculture, Washington, D.C.

DEAR MR. SECRETARY: The General Accounting Office recently prepared for the Special Subcommittee on Investigations a report examining the status of funds appropriated for economic and food aid to Indochina prior to the collapse of the Thieu and Lon Nol regimes.

In the report, the GAO states:

"The Department of Agriculture disposed of \$27.4 million worth of Public Law 480 Title I sales commodities. Commodities valued at \$24.7 million were resold at a \$13.1 million loss, which was absorbed by the Commodity Credit Corporation. The remaining \$2.7 million of commodities were donated for use in other countries."

I would like to know to whom which commodities were resold or given, in what amounts and at what loss.

I would appreciate your consideration of this matter.

With best regards,

Sincerely yours,

LEE H. HAMILTON,  
Chairman, Special Subcommittee  
on Investigations.

DEPARTMENT OF AGRICULTURE,  
OFFICE OF THE SECRETARY,  
Washington, D.C., May 11, 1976.

HON. LEE H. HAMILTON,  
Chairman, Special Subcommittee on In-

vestigations, House of Representatives.  
DEAR MR. CHAIRMAN: This is in response to your letter of April 26 regarding the GAO report on status of funds appropriated for economic and food aid to Indochina. Enclosed are tables showing details on "frustrated Title I commodities later resold. (The term "frustrated" refers to commodities en route to Viet Nam and the Khmer Republic



(Cambodia) when the governments of these countries fell.)

The following donations of frustrated commodities were made:

Location/commodity/ approximate quantity	Total CCC- financed amount	Recipient
Vessel Nego May/wheat/ 12,754 MT.	\$2,090,991	CARE/India (under title II, Public Law 480).
Guam/Rice/365 MT.....	142,502	Feeding Indochina refugees on Guam.
Thailand/Rice/822 MT.....	1373,484	Air support; refugee feeding.
Total donations.....	2,606,977	

## SUMMARY—FRUSTRATED TITLE I COMMODITIES

	CCC-financed amount <sup>1</sup>	Resale receipts	Difference
Commodities:			
Resold.....	\$23,337,320	\$11,596,248	-\$11,741,072
Donated.....	2,606,977	0	-2,606,977
Total.....	25,944,297	11,596,248	-14,348,049

<sup>1</sup> Includes ocean freight financed by CCC.

The figures supplied herein reflect amounts financed by the Commodity Credit Corporation, according to their records, including \$1,135,029 in ocean freight financed for rice to the Khmer Republic. (Aid may also have

financed some ocean freight charges, which would not appear in our figures.) We have not deducted from resale receipts any unpaid expenses (primarily for storage) which currently total \$105,000.

We regret that we do not have sufficient information to attempt to reconcile the GAO figures with our figures, since the Department did not receive a copy of the final GAO report. The Department was allowed only to informally review the draft report, at which time we requested correction of several errors in the figures.

If we can be of further assistance, please advise.

Sincerely,

RICHARD E. BELL,  
Assistant Secretary.

## TITLE I.—FRUSTRATED RICE (RESOLD)

Location/commodity/approximate quantity	Sold to	Received from resale	CCC-financed amount (commodity)	CCC-financed amount (ocean freight)	Total CCC-financed amount	Difference (col. 6— col. 3)
Singapore/rice/21,981 million tons.....	Tradax Export, Geneva.....	\$3,958,778	\$8,942,827	\$576,144	\$9,518,971	-\$5,560,193
Singapore/rice/5,165 million tons.....	Malaysian Feed Mills, Singapore.....	880,034	2,024,270	269,735	2,294,005	-1,313,971
Singapore/rice/5,537 million tons.....	Continental Enterprises, Bermuda.....	1,038,188	2,218,522	289,150	2,507,672	-1,469,484
Manila/rice/6,943 million tons.....	Universal Robina Mills, Manila.....	1,041,395	2,728,236	0	2,728,236	-1,686,841
Guam/rice/2,134 million tons.....	Toyo Menka Kaisha, Hong Kong.....	409,795	831,714	0	831,714	-421,919
Total.....		7,428,190	16,745,569	1,135,029	17,880,598	-10,452,408

## TITLE I.—FRUSTRATED WHEAT (RESOLD)

Location/commodity/approximate quantity	Sold to	Received from resale	CCC-financed amount (commodity) <sup>1</sup>	Difference (col. 4—col. 3)
Singapore/wheat/4,977 (million tons).....	Sin Heng Chan, Singapore.....	\$535,077	\$913,581	-\$378,504
Bangkok/wheat/3,621 (million tons).....	United Flour Mill Co., Thailand.....	543,921	583,883	-40,592
Manila/wheat/4,940 (million tons).....	Philippine Flour Mills, Philippines.....	493,697	745,110	-251,413
Pusan/wheat/5,000 (million tons).....	Korea Flour Mills, Seoul.....	402,590	737,345	-334,755
Total.....		1,974,655	2,979,919	-1,005,264

<sup>1</sup> CCC did not finance any ocean freight on wheat shipments later frustrated.

## TITLE I.—FRUSTRATED COTTON (RESOLD)

Location/commodity/approximate quantity	Sold to	Received from resale	CCC-financed amount (commodity) <sup>1</sup>	Difference (col. 4—col. 3)
Singapore/cotton/293 bales.....	Malaysia Textile Ind., Malaysia.....	\$61,325		
Singapore/cotton/3,758 bales.....	Sumatra Intl., Singapore.....	720,879		
Subtotal.....		782,204	\$820,856	-\$38,652
Hong Kong/cotton/1,004 bales.....	Lea Tai Textile Co., Hong Kong.....	197,413	210,210	-12,797
Hong Kong/cotton/1,000 bales.....	Soco Textiles, Hong Kong.....	204,733	249,500	-44,767
Bangkok/cotton/2,050 bales.....	Luckytex Ltd., Bangkok.....	372,362	431,195	-58,833
Manila/cotton/3,552 bales.....	Ralli Hong Kong, Hong Kong.....	636,691	765,042	-128,351
Total.....		2,193,403	2,476,803	-283,400

<sup>1</sup> CCC did not finance any ocean freight on cotton shipments later frustrated.

<sup>1</sup> \$39,357 expenses (storage) have been deducted.

## EDUCATIONAL PROBLEMS FACING URBAN NATIVE AMERICANS— PART III

### HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1976

Mr. FRASER. Mr. Speaker, I would like to call my colleagues' attention to the third article in a five-part series on Indian education which recently appeared in the Minnesota Daily, the University of Minnesota newspaper. The first two articles focused on the problems facing native American elementary and secondary students. This article, written by Mary Klein, looks at the dif-

ficulties confronting native Americans who seek a college education.

Inadequate academic preparation, limited amounts of student financial assistance, and different cultural perspectives, often complicate Indian students' efforts to enroll in and complete a post-secondary program. Ms. Klein observes that frequently an Indian student enters college with a weak foundation in mathematics, communications, and study skills, faces the likelihood that available financial aid will fall short of educational costs, and possesses a belief system often misunderstood in the host culture.

At the University of Minnesota, such a student can turn for help to the native American counselor in the financial aid office, the higher education for low-

income people center, and the American Indian studies department. But while these channels can facilitate a student's adjustment to university life, they are able to attack the basic underlying problems in only piecemeal fashion. Ms. Klein implies that the deep-rootedness and complexity of these problems will require approaches far more comprehensive than those which have been tried in the past. The article follows:

#### INDIANS AT U FACE ADMISSIONS, IDENTITY AND SURVIVAL CRISES

(By Mary Klein)

There are two major considerations of higher education for American Indians; getting Indian students into college and then retaining them once they are attending, according to Russell Thornton, chairman of the University's Department of American Indian Studies.

More Indian students are graduating from high school each year, with proportionately more of them going to college. But once they enter college they frequently encounter many disheartening obstacles.

They find themselves trying to adjust to the strange customs and values of an institution that has little or inaccurate knowledge about their cultures. They also might discover that they are inadequately prepared academically for college and find that the financial aid offices are understaffed to deal with their needs.

Numerous surveys have shown that Indian students are as intelligent as any other students. Yet, Indians often graduate from high school one to two years behind the average non-Indian. Among the many reasons for this is that the primary and secondary educational systems are not usually geared to the needs of Indian students. This often causes Indian students to feel rejected or alienated, feelings not conducive to learning.

Consequently, Indian students usually enter college a step behind many of their non-Indian classmates. Three major problems of Indian students at the University are poor foundations of the English language, math and study habits, said Donald Allery Sr., community program assistant for the Department of American Indian Studies.

Allery also believes that the funding for Indian college students is inadequate. The average yearly cost of a college education in Minnesota, he noted, is between \$2,800 and \$3,200. The greatest source of financial aid for Indian students, federal scholarship money, lags behind 50 percent.

At the University one person coordinates all of the financial assistance for Indian students because they prefer to see him. Steven Chapman, Native American counselor at the Financial Aid Office, said that of the 400 Indian students on campus, about 310 applied for financial aid this school year. Only 10 were turned down.

Financial aid for Indian students varies greatly and comes from three major sources. One source is through tribal agencies, who have a free hand in allocating the funds they receive from the Bureau of Indian Affairs, and who give scholarships and loans ranging from \$10 to \$2,000 depending upon the students' needs and qualifications. Other money sources include state scholarships for Indian students and financial aid, such as University loans, available to all students.

Loan procedures are particularly difficult for low-income Indian students. Applications for other funding must be made early in the academic year. There presently is no more federal scholarship or loan money available to Indian students who want to enter the University spring quarter.

The early deadline for scholarship and loan application forces Indian students to start their college education fall quarter or wait until the next school year begins.

But concepts of what "time" is vary from culture to culture and "because 'Indian time' is different, turning in financial aid forms (and registering) before deadlines is a problem for Indian students," said Gloria Skeet, a Navaho who is majoring in American Indian Studies and is a student counselor at the University's Higher Education for Low-income People (HELP) Center.

The non-Indian concept of time, broken down into seconds, minutes and hours, "really makes no sense to us. We go by the seasons and the sun's movement across the sky," Skeet explained.

All Indians, Skeet said, whether from urban, nonurban or reservation areas follow "Indian time" to some degree, depending upon their family backgrounds.

Differing concepts of time also make it difficult for Indian students to keep appointments and turn in homework on time, noted Lois MacKenzie, an instructor and counselor at the HELP Center.

Besides the emphasis on punctuality, other cultural differences, such as the importance schools place on competition and individual achievement, are familiar to Indian college students, who grew up with those values throughout their school years. In college, however, the emphasis is intensified.

It is generally agreed that Indian cultures stress cooperation rather than individual competition. "Everything is done as a group, not as an individual," Skeet said. "It's not just 'I, it's 'we'."

Many of the University's Indian students do not want the competition. The average yearly dropout rate of University Indian students is 60 percent, Chapman said.

However, the dropout rate for fall quarter and so far this quarter has been only 20 percent. Chapman attributes this decrease partly to the current economic and employment situation and to the American Indian Studies department, created in 1969, which attracts Indian students and "gives them a reason for staying here."

The University's American Indian Studies department can help ease some of the problems Indians encounter, but the department does not have the resources to alleviate them completely, Chairman Thornton said.

The majority of the 400 Indian students on campus have contact with the department. It is a "home base" for them, a place where they are always welcomed and their uniqueness as Indians is respected, many Indian students attest.

"When I first came to the University, I felt alienated," Skeet said. She was often the only Indian in her classes and, "I felt lost until I began meeting other Indians."

Thornton said that "many Indian students come to us for assistance, rather than other University departments or agencies."

The American Indian Studies department has problems other University departments don't. "It's more difficult to teach American Indian Studies, for there are no available textbooks to use. Each faculty person is faced with finding accurate reading material," Thornton said. He defines many of the textbooks recently written about Indians as "junk."

Teachers of Ojibwe and Dakota languages, Thornton pointed out, must develop their teaching materials from scratch, because there are no textbooks on these languages.

The goals of the department include revising the departmental curriculum and course offerings to include contemporary Indian affairs, starting a center for American Indian research because "it's time for us to study ourselves instead of others doing it," bridging any gaps between the University and the Indian community and changing the knowledge that people have about American Indians, Thornton said.

Most of the 400 Indian students on campus are not majoring in American Indian Studies, and some of the 20 Indian students who are majors also have a minor in some other field.

"If I can't take the concepts I learn in school and make them applicable to Indian kids, then the concepts are of no use to me," said Jay Kanassatega, a graduate student in special education.

Kanassatega thinks that the University curriculum is too generalized because it "lumps Indians in with other minorities, but Indians are unique." For instance, the University's College of Education offers no courses specifically on Indian cultures. Special Education only offers a course on teaching students who are culturally different.

"All University departments," said Kanassatega, who wants to teach on a reservation, "must become flexible and sensitive to the needs a Native American will face when he leaves the University."

The ignorance of the religious needs of Indian students is another area which shows "a lack of sensitivity of the University to

Indian people," Thornton said. Unlike Indian students, other students have easy access to their spiritual leaders, often priests or rabbis. "Indian people need the same access to their spiritual leaders as other students have. Indian people do not want to be assimilated in any way," he stressed.

Many people agree that although conditions are becoming more favorable, it is still extremely difficult for Indians to get a college education, and yet more Indians graduate from the University each year.

"Indian graduates of this department often go back to their own tribes and help in the tribal educational systems," Thornton said.

It is sometimes difficult for Indian college students to return to their people. Thornton said the "Indian students undergo a series of changes to get here (the University) and it takes a series of changes to go back."

"The difficulty in going back depends on the type of education. We try to maintain an open relationship for the students with the Indian community."

## THE RENTIER ECONOMY—CAPITAL INVESTMENTS ABROAD

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1976

Ms. ABZUG. Mr. Speaker, manufacturing is a rapidly diminishing industry in the United States, because many corporations have chosen to set up their production bases abroad. The economic situation in many foreign countries is conducive to capital investment by U.S. firms because of remission of income and other taxes, remission of import duties on production materials and machinery, subsidies for new plant construction, preferential treatment in securing foreign exchange for exports and, cheap labor.

The results of capital investments abroad are alarming. The chemical industry has approximately one-third of its total assets abroad; the consumer goods industry, approximately 40 percent; the electrical industry, 75 percent; and, by 1973 the seven largest banks in the United States were drawing 40 percent of their total profits from abroad, a 17 percent increase in only 2 years.

America is losing capital investments totaling billions of dollars a year, which are critically needed to bolster our economy. Fewer jobs are available, and corporate profits are artificially high. And we are straining the cash flow of foreign countries at an alarming rate. Multinational corporations represent the direction in which the American economy is moving: toward a rentier economy, in which a country lives on its investments alone, producing almost nothing on its own.

For these reasons I urge my colleagues to read the following article by Gus Tyler, assistant president of the International Ladies Garment Workers Union, and an expert in labor affairs. Mr. Tyler's article describes a bleak future for our country, if we continue on our present course. The problem is one to which we shall have to apply ourselves in the near future, if America's economy is to remain strong:

The article follows:



# THE THREAT OF A U.S. WITHOUT FACTORIES (By Gus Tyler)

What happens when America loses all or most of its manufacturing? The question is no idle speculation. Sections of labor intensive industry in America have been wiped out by a flood of imports; sections of capital intensive production have been decimated by the export of jobs to other lands by U.S.-owned multinational corporations. Unless the process is reversed, this nation will lose its historic industrial base.

While this forecast is terrifying to the 20 million workers engaged in American manufacturing, the prospect of a non-industrial America is reviewed with equanimity by some economists who believe the country can do nicely without factories. They propose that we convert to a rentier economy.

Both the word and the concept of a "rentier" are foreign. It is drawn from the kind of leisure society described in British novels where the central character somehow manages to go through life without putting in a single day of work. He makes it on his "rentes," on his investments.

A rentier economy then is one that lives on its investments. It does not depend primarily on making and selling things. It lives by clipping its coupons.

In the summer of 1971, Brookings Institution economist Lawrence B. Krause described an America that was already on the way to becoming a rentier economy. "American companies for many years have been investing substantial sums abroad, primarily by direct investments. These investments are now yielding large dividend and interest returns to their parents (representing a net of \$5.8 billion in 1969)," he wrote in *Foreign Policy*, "and such returns are likely to grow substantially during the decade of the 1970s."

As Krause forecast, overseas investments continued to rise. A 1972 U.S. Department of Commerce study showed that the top 298 multinational corporations in the United States earned 40 percent of their net profits outside our borders. The chemical industry had about one-third of its total assets abroad; the consumer-goods industry about 40 percent; the electrical industry an incredible 75 percent; the pharmaceutical industry about one third of its assets. By 1973, the seven largest banks in the United States were drawing 40 percent of the total profits from abroad—a rise from 23 percent only two years earlier.

That year, U.S. investment overseas amounted to more than \$100 billion. Our net inflow of earnings on investments was \$7.4 billion. Apparently, America is learning to live in the rentier fashion of the gentleman in the British novel.

Capital has been pouring into other countries for several reasons. When a multinational corporation carries on overseas productions, its product can then be sold in a protected market. Hence, both prices and profits are artificially high.

Often the host country offers a feast of goodies to entice American investment. The temptations may include remission of income and other taxes; remission of import duties on materials and machinery used in producing goods for export; subsidies to new plant construction through low interest rates or government financing; offer of working capital or joint investment; preferential treatment in getting foreign exchange for exports.

Once implanted overseas, American multinationals then turn around to use their foreign base as a launching platform to export to the United States. Between 1966 and 1970, the 298 multinationals covered by the Commerce Department study showed a 52.9 percent increase in sales to the countries in which they were located, but a whopping 129.4 percent rise in their sales to the United States.

In addition, American tax laws encourage overseas investments. Profits made overseas are not taxed unless and until they are repatriated to the United States. Any taxes paid to foreign governments are allowed as a tax credit—not simply a tax deduction—when the corporation pays its company tax to Uncle Sam. By rigging books when one wholly owned subsidiary charges another wholly owned subsidiary in another country, the multinational can show low or no profits in countries with high taxes and high profits in countries with low or no taxes and, in that way, avoid paying an honest tax everywhere.

In many countries, American companies find they can get cheap labor and child labor; do not have to pay minimum wages, workers' compensation, unemployment insurance or social security; do not have to observe occupational safety and health legislation or environmental standards, or maintain fair hiring practices.

Hence, so long as America maintains a relatively open door policy for commodities flooding into this country from abroad and an open-handed policy in allowing American companies to export capital and technology, it is profitable for U.S.-based global corporations to do their manufacturing in other lands. The result is the outflow of capital to other lands—the financial basis for a rentier economy.

There is, of course, some reverse flow—other countries investing in the United States. But as of 1973, foreign investments in the United States, were hovering around 40 percent of American investments abroad.

The theory of a rentier economy, moreover, assumes a net inflow for the United States through investments. This requires an ever larger sum of American money abroad as contrasted with foreign investments in the United States.

A key problem for a rentier economy—such as projected for the United States—is precisely how other countries will get the necessary money to pay us, the rentier. If we just keep drawing their funds from them in the form of interest on our investments, we will ultimately exhaust their ability to pay us.

Krause offers a direct solution. "Larger trade surpluses by other countries will be required to make possible these payments," he explains.

How do these countries get "larger trade surpluses" from the United States? They must sell us more than they buy from us. We must, on our part, import more than we export. We must consciously create an unfavorable balance of trade for the United States.

The items we are most likely to import will be wares from factories rather than from farms. At present, the United States is the world's greatest exporter of agricultural products, with much of the world dependent on our farm output—a condition that is likely to continue for many years. While we do import fuels (oil), we are likely to be less dependent in the years ahead as we find alternate sources of energy. Hence, the commodities we import will be manufactured wares.

Under ideal circumstances, international trade need not result in foreign products displacing American-made goods and American workers. Theoretically, we could sell as much as we buy—exchanging our output for the equal output of other nations. But, by its very nature, the rentier system disallows such an equilibrium, requiring an unfavorable trade balance for America so that other nations may gather surpluses with which to pay interest and dividends to American rentiers. Hence loss of manufacturing and manufacturing jobs are inherent in the rentier scheme of things.

The next question is what happens to the workers—20 million—currently employed in American factories? The answer of those who envision the rentier economy is that those

displaced from manufacturing will find employment in the new system. But will they?

A rentier economy is, of necessity, no great employer. Those who live by it require few busy hands, since the primary operation is placing money abroad and then reaping the a rentier economy is a counting house, an operation that employs few workers.

Proponents of the rentier economy suggest another source of employment: research and development for corporations that will then make the results available to other countries for their lease or purchase. The United States would be the great inventor and innovator for the planet.

This notion, however, stands on two infirm legs: even if we were to assume this presumptuous role, the number of people engaged in such work would be necessarily limited—as it is today. What percentage of our present labor force is engaged in research and development? Beyond that, however, we are very likely to lose this role, first because without our own life laboratory—our own industries—we would find it difficult, if not impossible, to put our ideas to a valid test; and secondly, with their own growing industries and know-how, other nations would soon develop their own scientists and engineers. Once we learned our techniques from Britain and Germany but today we have surpassed both—largely because we had the testing grounds in our own industries. Likewise, Japan was a copycat that turned into a creator.

In theory, the income that pours into the coffers of the American corporations will drip down to the people below. But in practice, nothing of the kind is likely to happen.

First of all, American corporations are not likely to bring back to this country the full sum of their return on investment. To do so would be foolish, under present law, since each dollar repatriated as profits will be taxed by Uncle Sam. Hence, corporations are inclined, as experience has already shown, to let their foreign profits stay abroad.

Second, even if the returns do pour back into corporate hands in full force, such an accumulation at the top does not necessarily mean that there will be a drip down to the lower layers. The economic elite—the prime beneficiaries of a rentier economy, since they are the true rentiers—will undoubtedly spend some of their income in buying necessities and luxuries, in hiring clerks and servants, in paying some taxes. But the 2 percent of the population which owns about 80 percent of the privately held shares in corporations can never constitute the mass purchasing base for a viable economy.

Hence, concentration of income in the hands of the rentiers will not provide jobs to the rest of the nation either directly, by work in the establishments of the rentiers, or indirectly, by stimulating a massive domestic demand.

But aren't there other places for employment of those displaced in manufacturing, such as in building and construction, wholesaling and retailing, civil service, hotels and restaurants and travel and leisure?

The argument runs that the 20 million employed in manufacturing are only about one quarter of the total labor force. If the other three quarters expand, they will be able to absorb those who fall out of manufacturing jobs.

It is further argued that manufacturing has been a shrinking percentage of the labor force for several decades now. Yet the society has been able to provide employment in the expanding non-manufacturing section of the economy.

What these calculations omit, however, is the key and decisive role of manufacturing in making it possible for the other sectors of the economy to grow. Stepped up factory productivity, in the automation following World War II, made it possible for a rela-

tively smaller percentage of the labor force in manufacturing to flood the nation with a tangible wealth. With this wealth, the nation was able to afford homes and hotels, bars and restaurants, public and private schools, and a very expensive system of advertising, merchandising, transporting, wholesaling, retailing and packaging.

Eliminate manufacturing and you eliminate the foundation on which many other sectors of the economy are based. The construction industry depends on manufacturing to build plants and on factory employees to buy homes. The entertainment, restaurant, travel and sports industries depend on workers whose income is drawn from the making of tangible commodities. Teachers and police, firemen and sanitation workers, forest rangers and government weathermen depend on taxes paid by the producers of products.

In short, if manufacturing shrinks, so will virtually every other sector of the economy—except, of course, that elite segment that is busily engaged in collecting "rentes" on overseas investments.

A rentier economy would make our indivisible nation two nations: one living in gentlemanly leisure on its income from foreign investments and the other wallowing in unemployment and poverty. This division of the nation into extremes would be hastened by two simultaneous factors: first, those manufacturing workers who would luckily find jobs in the service economy would be earning less since, by and large, wages in service jobs lag well behind those in manufacturing; second, working people who currently own a few shares in corporations and who might be slight beneficiaries of the "rentier" system, would soon lose their "dividends" as the threatening pressures of depressed earnings would force them to sell whatever shares they hold.

All this is rarely, if ever, discussed by the devotees of the rentier system. All they see is a way to arrive at a neatly balanced international flow of money: the United States will lose on the balance of trade (more imports than exports) but will gain on the balance of payments (more interest on investments coming in than going out.) By this reckoning, all is well with the world since the United States will take in as much as it loses as other countries buy our capital and we buy their commodities.

The question that goes unanswered because it goes unasked is: who in the United States gains and who loses? Under the rentier system, workers lose and rentiers gain; income is redistributed upward to those at the top. In terms of the international flow of funds, Uncle Sam may not lose a penny. But, in the process, 2 percent of his nephews will grow rich at the expense of the other 98 percent.

In examining this ruinous trend in the United States, Krause notes that our evolution is not without precedent. America "may well be on the road to becoming a mature creditor country," he notes, "not unlike Great Britain, France and the Netherlands in earlier historical periods."

His historical reference is particularly poignant at this moment, especially as it applies to the British experience. Just a few months ago, the socialist Prime Minister of Great Britain, Harold Wilson, told his ailing nation that England's prime need is manufacturing. Without industry, the British economy can only go from bad to worse.

Against the background of Britain's role in western civilization, Wilson's appeal was plainly pathetic. England was the cradle of the industrial revolution; her entrepreneurs were the mothers of manufacturing. The tiny islands could outproduce whole continents. Yet here at the threshold of the

21st century, stands Great Britain, pleading like some primitive land for a chance to make its debut into the industrial age.

What happened to Britain?

In the 19th century, Britain was the great free trade advocate in the world. She had nothing to fear from foreign manufacturing, since Britain could beat everyone at the game with her superior ken and capacity. The imports that came into Britain were welcomed by her capitalists because they consisted of cheap raw materials for her mills and cheap foodstuffs for her workers.

Sizable investment by English capitalists in overseas ventures were all to the good. "Investment was largely directed into the development of communications abroad (particularly railroads) and of foodstuffs and raw materials which were highly complementary in nature to British export and domestic industries," records Peggy B. Musgrave in a study for the Senate Foreign Relations Committee. The capital outflow, moreover, was accompanied by a labor outflow to new lands like Canada, Australia and Argentina. These developing countries became active British customers. And, as they began to industrialize, they bought equipment from Britain. By the end of the 19th century, Britain was investing about half her national savings outside England, with minimal detriment to the overall United Kingdom.

In the early decades of the 20th century, however, things began to change. Other nations were now in a position to compete with Britain as manufacturing powers, no longer satisfied merely to be suppliers of cheap materials and foodstuffs to England.

British capital made a swift decision. Instead of putting more money and mind into British manufacturing, the movers of money deserted their wards and began to pour funds into foreign industry. "An increasing proportion of this foreign investment began to move into manufacturing industries such as jute, cotton, iron, steel, paper, tobacco and engineering," records Musgrave. By World War I, Britain was investing 80 to 90 percent of her total capital formation abroad. Britain turned from a manufacturing to a rentier economy.

The British economy felt the impact almost immediately. "The British terms of trade turned down, domestic capital per head of the population grew at a slow pace, and real wages declined slightly." In due time, the "slight" decline became a steep decline and the downturn in trade became a tumble, so that today the once bustling Britain is a dying economy—and nation.

If the United States chooses to go the way of the rentier, it is likely to fall into ruin even faster than Britain. Most of the money England invested outside its borders was in "portfolio" form rather than in "direct" form. In other words, the British were lending out capital for all kinds of uses instead of using that capital primarily to set up their own businesses or subsidiary business overseas. Hence, they did little of what American multinationals have been doing for the last decades, namely, closing plants in the United States while opening them elsewhere.

Secondly, British capital did not make a major business of exporting technology. To the extent that other nations did pick up British techniques it was a "byproduct." But for American multinationals, the export of technology is as important as—and in some cases, more important than—the export of capital. American knowhow is installed in wholly owned subsidiaries overseas; whole systems are leased out, licensed, franchised or sold outright.

Another difference between the British and the American experience is that the United Kingdom was able to run its rentier system during a century when the sun never set on

the British Empire. Hence, they could—when necessary—rush in to secure their investments with armed authority. But, as things look now, the next century won't see a world in which the sun will never set on the American empire. Too many nations are restless and resentful of any rentier.

"Can anyone really believe," asked Paul A. Samuelson, writing in the Morgan Guaranty Survey, "that in the last three decades of the 20th century the rest of the world can be confidently counted on to permit the continuing flow of dividends, repatriation of earnings and royalties to large corporations owned here?"

Ironically, America will not even be able in the future to threaten other nations that may decide to revolt against the rentier. Without industrial strength, we will be without military strength as well. We will find ourselves just another England—a has-been both at home and abroad.

America has much to learn from the British tragedy.

ANTONIO AND ELIZABETH FRANCISCO—50 GOLDEN YEARS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1976

Mr. ANDERSON of California. Mr. Speaker, in these times of shifting values and changing morality, it is truly heartening to see two people who have stood the test of time and maintained a strong and vital relationship over the years. One such couple, Antonio and Elizabeth Francisco, of Carson, Calif., will be celebrating quite a milestone on May 29 of this year. For on that day, in 1926, Elizabeth and Antonio were married in Chicago.

Fifty years, five children, and 14 grandchildren later, the Franciscos will celebrate their golden anniversary. They will be joined on that occasion by their family and the many friends they have made over the years. Residents of the city of Carson for the past 10 years, the Franciscos will also be honored by the community as the city, and its residents, offer their congratulations and join in the festivities.

Antonio Francisco has enjoyed a long, varied, and interesting career, in addition to a rich and rewarding family life. From 1928 to 1941, he was a successful businessman in the Philippines, the owner and operator of a rice and sugar mill.

The onset of World War II interrupted Mr. Francisco's business, as the Philippines were occupied by enemy forces. During those years, Antonio Francisco served as an officer in the army of the Philippines as it fought to overthrow foreign domination. That bitter conflict ended in 1945, and in 1946 Captain Francisco became intelligence officer for the Philippines' Secretary of Defense, Ramon Magsaysay.

From 1951 to 1954, Antonio Francisco served the Philippine Government as intelligence officer for President Magsaysay, who had become head of the govern-



ment. Following that tenure, Mr. Francisco became chief security officer in the Republic of the Philippines for CALTEX, an American-owned firm. He held that position until 1962.

In March of 1961, Antonio Francisco received a third degree honor from the Knights of Columbus. The mayor of Makati in Rizal, Republic of the Philippines, awarded Mr. Francisco with a certificate of merit in June 1962 for his outstanding contributions to the peace and order of the city of Makati.

Throughout this long, distinguished, and varied career, Antonio Francisco remained devoted to Elizabeth and their five children: Andres, Antonio, Jr., Anna Maria, Elizabeth, and Katherine. If family life is the cornerstone of a person's life, Antonio and Elizabeth have indeed been both fortunate and successful. Their five children have gone on to lead lives and careers of their own, and have blessed their parents with 14 grandchildren.

Mr. Speaker, when two people are successful in marriage for such a long period of time, they deserve congratulations and respect for all of their life's accomplishments. The Franciscos, with their many years together, stand as a glowing example of what a good marriage can be—a source of support, happiness, and contentment.

My wife, Lee, joins me in congratulating Antonio and Elizabeth Francisco on their golden wedding anniversary, and we wish them many more years of happiness together.

#### END THE FEDERAL ENERGY ADMINISTRATION

#### HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1976

Mrs. SCHROEDER. Mr. Speaker, the Senate Government Operations Committee has reported a bill, S. 2872, to renew the Federal Energy Administration for 15 months. It is important to note, however, that S. 2872, besides offering such a shorter extension of the FEA, also provides for a disposition of the functions of the FEA according to a congressional plan of action when the FEA would end, October 1, 1977.

Congressman FLOYD FITHIAN and I placed in yesterday's RECORD—at page H4545—a substitute to H.R. 12169, the bill the House Interstate and Foreign Commerce Committee reported out to extend the FEA for 39 months. Our sub-

stitute abolishes the FEA on June 30, 1976, and transfers its functions to other Federal agencies and departments.

We believe that just as the Senate Government Operations Committee's approach to the disposition of the FEA is a much better one than the House Interstate and Foreign Commerce Committee's, the Schroeder-Fithian substitute is a still better approach, since our approach will stop the FEA's wasteful habits and self-promotion campaigns dead in their tracks. An explanation of our substitute appears in the RECORD for yesterday, May 18, at pages E2649 and E2655.

When we do take up H.R. 12169 on the House floor, I think we also have to consider what sort of conference committee problems a conference between H.R. 12169 and S. 2872 would create. H.R. 12169 gives the FEA 39 more months, with little direction, to fester in the bureaucracy; S. 2872 would cut off the FEA in 15 months and tell the FEA where to go. The following chart comparing the disposition of functions proposed by the Schroeder-Fithian substitute and the Senate Government Operations Committee bill shows very realistically that the Schroeder-Fithian approach, rather than H.R. 12169, offers the House viable alternatives to the Senate bill. The chart follows:

#### COMPARISON OF SCHROEDER-FITHIAN SUBSTITUTE TO H.R. 12169 TO S. 2872, THE BILL TO EXTEND THE FEDERAL ENERGY ADMINISTRATION AS REPORTED BY THE SENATE GOVERNMENT OPERATIONS COMMITTEE

FEA FUNCTION (CONTINUED BY H.R. 12169 FOR 39 MONTHS)	SCHROEDER-FITHIAN SUBSTITUTE DISPOSITION ON JULY 1, 1976	S. 2872 DISPOSITION ON OCTOBER 1, 1977
Executive Management and Administration.	Abolished.	Functions relating to advice to President transferred to Energy Resources Council. Others abolished.
Energy Policy and Analysis.	Transferred to ERDA.	Functions relating to advice to President transferred to Energy Resources Council. Data analysis and Collection transferred to Department of Commerce.
Regulatory Programs.	Transferred to Federal Power Commission.	Price regulation functions transferred to Federal Power Commission; Allocation functions transferred to Department of the Interior.
Conservation and Environment.	Transferred to ERDA.	Transferred to ERDA, except appliance efficiency and labeling and Federal and State conservation planning transferred to Department of Commerce.
Energy Resource Development.	Transferred to Department of the Interior.	Coal conversion program transferred to Environmental Protection agency; Materials allocation program, Strategic Reserve functions transferred to Department of the Interior.
International Energy Affairs.	Transferred to ERDA.	Transferred to Department of State.

#### THE VIEW FROM THE HILL

#### HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1976

Mr. STEIGER of Wisconsin. Mr. Speaker, I am pleased to have this opportunity to commend to my colleagues an article on Congress and higher education written by Robert C. Andringa, minority staff director of the Committee on Education and Labor.

The insight Dr. Andringa has acquired through his involvement in legislation in this area provides us with an interesting analysis of congressional capabilities and

effectiveness in developing a Federal postsecondary education policy.

The text of the article follows:

#### THE VIEW FROM THE HILL

(By Robert C. Andringa)

Among the unsettling currents coursing through the mainstream of higher education is a new attitude toward the federal government. Where once education lobbyists tended to support any halfway reasonable idea for new federal initiatives, they are now more wary of creeping federalism, and future support will almost certainly be more circumspect. If educators were ever under the illusion that federal control would not follow the federal dole, they have certainly been disabused of that notion. And while most would agree that the net effect of the federal role in postsecondary education has nevertheless been positive, one encounters an un-

mistakable and increasing anxiety when educators confront projections of present trends into the next decade.

But for all the publicity, rhetoric, and analysis expended on the subject, few people understand the obstacles to achieving any fundamental shift in the way government operates. Having observed and participated in the legislative process for six years in the House of Representatives, I have found it difficult to be any more sanguine than educators about the prospects for a meaningful decrease in the myriad of forms, regulations, reports, and sundry other requirements deemed by the government and the bureaucracy to be in the public interest.

Surprisingly, most elected and appointed officials in Washington are just as frustrated by the mammoth and mired federal machinery. Their rhetoric can match any heard outside of government. They, too, want to cut

through the costly red tape binding small businesses, colleges, hospitals, and other institutions. But there are problems. For one, no one wants to reduce his own authority, responsibility, budget, or staff. For another, there is the inertia generated by the size and complexity of a government that employs 3 million citizens, spends over \$1 billion every day, generates thousands of forms to confuse the public, and administers more than 1,000 distinct domestic programs. All of which is done, moreover, with a fairly rapid turnover of senior officials. Just as a new congressman or agency official with some creative ideas acquires enough knowledge of how government works, he or she too often moves over, up, or out. Those with the most staying power tend to be middle-level career civil servants with an understandable stake in keeping their little fiefdoms intact.

As one educated for a career on campus and experienced in shaping federal higher education legislation for a congressional committee, I believe my observations on the difficulties plaguing Capitol Hill may be of some value to those working in other vineyards on behalf of better education. I do not, of course, assume that everyone will agree with my analysis, but it is offered in the hope that it will at least improve the quality of the debate and encourage a more realistic assessment of what government can and cannot do. And why.

First, a few basics that are often overlooked:

Nothing is clear, neat, or simple in a democratic system. We do not have a single ministry of education, but instead hundreds of sponsors and policymakers continually shaping and reshaping the academic enterprise.

The states have been given, under the Constitution, primary responsibility for public education, and colleges should not look to the federal government to satisfy their basic needs. The federal government has typically viewed higher education as a means to achieve other national purposes, not as an end in itself.

There is no coherent federal policy on postsecondary education. No single congressional committee or executive agency can exert much leadership and control over the others. The federal role is the accumulation of hundreds of ad hoc decisions by people who often neither know nor care what others in the federal establishment might be doing.

Many federal laws have a substantial effect on higher education, but were drafted, passed, and implemented for other reasons—often with little or no discussion of how they might affect postsecondary education. Acts relating to equal pay, age discrimination, pension programs, and consumer protection are but a few examples. More potent forces than education lie behind these laws, and it is difficult for elected officials to discriminate in these cases between a college or a grocery store, a steel mill or an elementary school—even when different treatment is in fact justified.

Government is so involved in every aspect of national life that government officials have become more specialized, more insulated from the college campus, and more hard pressed simply to keep their heads above water. Consequently, no single person, including the President and Secretary of HEW, can alone push the solution button, even if he knew where it was.

Higher education—like all other interests groups—finds it easier to support the creation of something new than the abolition of something old. Most people would agree that the resultant federal presence in higher education has generated burdensome costs of compliance with regulations; has often resulted in conflicting signals from different agencies; has required similar, but not quite the same data be filed with two or three different agencies; has added gray hairs to those

trying to keep up with changes in the law; and has kept educators from doing what is most important—teaching—because process and procedure have taken so much time. But try to cut back the federal role in even the smallest of areas! Immediately, a few interest groups, congressmen, staff members, and bureaucrats move into action to block the move. Even the most inconsequential piece of the pie got there through the commitment and sweat of somebody, and the commitment and sweat of somebody will try to keep it there.

Some have accused Congress of not being responsive to the needs of higher education. I rather think part of the problem is that Congress has been too responsive. Most, but certainly not all, federal initiatives are the result of legislation. Congress has passed so many laws with regard to postsecondary education that no one seems able to gather them together. We've tried it.

Among the modest reforms in the House of Representatives in 1974 was a provision giving the Committee on Education and Labor oversight responsibility for all federal education programs, whether within its jurisdiction or not. It should be noted that jurisdiction over any general area of national life is not defined very precisely in the House rules. This makes it easy for almost any committee to get into the act when an issue becomes politically popular. The environment, energy, and government intelligence operations are recent examples. Higher education is an example from earlier years.

I knew that the Committee on Education and Labor had so much to keep it busy—114 federal programs under our jurisdiction have expiration dates during the Ninety-fourth Congress—that we would not venture far into other committee jurisdictions. Besides, some chairmen do not appreciate outsiders looking over their shoulders. Nevertheless, as a staff person responsible for higher education legislation within the committee's jurisdiction, it seemed appropriate to ask, How many federal programs (or "authorities") affecting postsecondary education are there, and which committees have jurisdiction over which? Simple question? Not at all.

We asked the American Law Division of the Library of Congress to undertake the initial investigation. In July 1975 we received a lengthy list of every program touching postsecondary education, listed according to its committee of original jurisdiction. We then circulated the list to each parent committee in hopes of identifying the subcommittees that held jurisdiction over each program. During this process we discovered that a few older programs had been switched to other committees through changes in the rules, creation of new committees, and so on. Some of the older programs that are permanent law (with no fixed termination date) had simply not been brought before the committee for review in so many years that current staff could not determine whether their committee had jurisdiction or not.

The tale is too long to spin out in its entirety, but the results astounded even those who believed they knew what was going on. Neither the Library of Congress nor our staff is bold enough to advertise the results as 100 percent accurate. But it is, I think, the best effort made to date. The library identified 439 separate statutory authorities effecting postsecondary education. They vary from small authorities granting fellowships for graduate study to major programs consuming hundreds of millions of dollars. Some authorities have been on the books for dozens of years. Most have been created in the past decade or so. Some will be on the books forever unless Congress acts to remove them. Most exist under authorities of a few years. The latter are almost inevitably renewed when the termination date rolls around, though usually with new amendments . . . then new regulations . . . then new com-

plaints . . . then new ideas to solve the new complaints . . . new amendments . . . etc.

The number of programs was hardly surprising because a 1973 staff study for the National Commission on the Financing of Post-Secondary Education had already identified some 375 separate programs lodged in more than 35 agencies besides the U.S. Office of Education. What was somewhat of a shock, however, was the number of committees involved. The chart on page 29 (not reproduced) shows the distribution of 426 programs among 18 of the 22 standing committees of the House and 16 of the 18 Senate committees. An additional 13 programs are the responsibility of the Joint Committee on Atomic Energy. Note that several House committees share jurisdiction with two or more Senate Committees and vice versa. Although some parent committees do not make specific program assignments to subcommittees, our survey found that there are at least 70 subcommittees (out of over 200 in Congress) that have some jurisdiction over the 439 program authorities.

These figures are somewhat more dramatic than the actual situation. A few of the committees have a small number of programs and many have quite minor programs. But the diffusion of responsibility for postsecondary education in the Congress is a major reason for the proliferation of programs, lack of sufficient oversight, and the virtual futility of even suggesting a congressional approach to the problem of overkill.

One needs some knowledge of how Congress functions to fully appreciate why Congress is poorly equipped to stem the tide of ill-conceived or unnecessary additional federal actions. Most legislative work in Congress is done in subcommittees. Most subcommittees have an independent staff responsible to the subcommittee chairman. Coordination among subcommittees within a single parent committee is thus difficult to achieve and seldom done well. Communication regarding legislative proposals and current law among House or Senate subcommittees not part of the same committee is even rarer. This, incidentally, is why good lobby groups, monitoring several House and Senate subcommittees, can often help improve committee decisions.

Compared with the executive branch, the Hill may appear a more manageable enterprise. It is not. Each of the 535 elected representatives is an independent factor in the total operation. Neither members nor committees are formally accountable to anyone else within the Congress. Over 12,000 employees of the House and Senate owe their jobs and loyalty to almost a thousand different bosses (since many senior members wear more than one hat).

Congress could be better organized. But no one should expect Congress to find a way to coordinate successfully the whole range of federal activities that affect higher education. Who would do it? Any attempt to reassign popular, attention-getting, grant-producing federal programs from one committee to another for purposes of consolidation requires a more centralized decision-making process than Congress by nature can achieve. Moreover, under the present process, too many "goodies" accrue to members whose committee work includes aid to colleges. Although current interest in new higher education legislation is low, education remains politically popular.

Because of this diffusion of legislative authority, higher education lobby groups have sometimes been able to appeal to more than one committee to achieve the same general objective. For example, a desire to obtain more money for research and graduate programs in energy or environmental problems can conceivably be achieved through over a dozen different committees. It takes only



modest drafting skills to write legislation that results in the House parliamentarian referring it to committee A rather than committee B. The fact that this game has been played by both members and staff, usually initiated or supported by some interest group, is another partial answer to how we got where we are.

The number of committees involved and laws passed relates directly, of course, to the proliferation of federal red tape. Each statute grants authority for carrying out a program to some official in the executive branch. Here again there is room for choice. Lobby groups and key members of Congress might push for giving the authority to agency X if it seems more able or willing to implement a particular new initiative than agency Y. That may have nothing at all to do with the fact that five years earlier the same or a different committee gave a closely related authority to agency Z. Wherever an authority ends up, that agency must usually draft and publish regulations to carry out the program or law. These regulations typically include definitions, timetables, quantitative criteria to translate general statutory language into measurable factors, and so forth.

Congress has been making noises in recent years about the insensitive and arbitrary methods some executive agencies have employed to implement federal laws contrary to the intent of Congress. Is this complaint justified or just part of Washington political rhetoric? Partly both. Agencies have been guilty of stepping beyond the law, and the education and labor committee has, as a result, instituted tough public and congressional review requirements to keep them in line. But Congress is also at fault. Too often we draft great ideas in such general terms that no one could distribute the funds or evaluate the program without explanatory regulations. Vague phrases are often politically necessary for passage—specific wording might break down the fragile coalition of members who support the program, each interpreting the language as he will. It is also common—regardless of a hostile feeling toward the regulation writers—for congressmen to avoid biting tough, political bullets, thus by default leaving the controversial tasks to the executive branch. Witness school busing, sex discrimination, occupational health and safety, and privacy legislation.

For these and other reasons, the "congressional intent" of many laws is often elusive. On sensitive issues, the law finally sent to the President is the result of delicate compromise. Language in the law, or in the report that accompanies it, is usually drafted in the confusion of a House-Senate conference committee, or by tired staff in the late night hours afterward, and is written with such care as not to jeopardize passage. When the executive agency then tries to interpret this committee-produced prose, it runs into trouble. Because individuals do not necessarily alter their views on important matters simply because a compromise law has been passed, a visit by an agency head to six congressional offices may result in six varying interpretations of what Congress intended.

There is no lack of ideas on how Congress and the higher education community can help make the federal government a more effective and responsible partner in providing quality education. But traditional suggestions seem not to have worked well enough, and something far more creative is needed. To continue the debate, the following approaches seem necessary and just within the bounds of reasonable possibility:

(1) Congress should organize itself into fewer subcommittees with fewer subcommittee assignments for each member. A representative today may be assigned to 5 or 6 subcommittees and a senator to as many as 10

or 12. It is not uncommon for a member to have three subcommittee meetings scheduled for the same hour.

At a recent seminar, I mentioned that the average attendance at a hearing of our 18-member Subcommittee on Post-Secondary Education was about two and a half. The mild gasps of surprise lasted only until a Senate staff person said the average for their 12-member subcommittee was closer to one!

It is no wonder, then, that staff do more and more of the drafting, discussing, evaluating, and even compromising of legislative proposals. This process often results in more complicated legislation. Unfortunately, the inevitable consequence is even less participation by busy members of Congress, who become frustrated in subcommittees listening to arguments they don't understand and had no part in shaping.

(2) Government is not organized to assess the impact on campus of its collective efforts. The times require a substantial effort, supported by a broad coalition of nongovernment organizations, to evaluate the effect of current federal involvement in postsecondary education on autonomy and quality. There are some initial activities under way in the major higher education associations. But the results need to be packaged and disseminated so as to be comprehensible to harried public officials. Good investigative journalism by the popular media might help build larger coalitions among several interest groups to the point where government officials will act and not simply agree.

(3) When there is enough public support for the need to reduce costly red tape for the sake of quality education, top leadership should lay down the guidelines within which all parties can proceed. The President and governors should consider preparation of a "General Statement of Agreement on Federal and State Support for Postsecondary Education." Such a statement could be a proxy for the broad policy statement some believe Washington should produce by law. It would represent a workable consensus on the general relationships among colleges and the federal and state government. While it could be neither guaranteed nor enforced, it would lend support to those trying to prevent counterproductive government initiatives.

(4) Once the issue of governmental overkill becomes visible enough, pressure would exist to modify some current practices. Laws could be drafted with more clarity and with fewer of the riders and technical amendments too often added at the behest of a single member without critical evaluation. Small categorical programs could be consolidated, reducing administrative costs and leaving more discretion to the states and individual institutions. Many proven programs could be authorized for longer periods and funded one year in advance of the time colleges are to receive the money. Regulations could be shorter with fewer time-consuming features that add costs and brief to 3,000 institutions because 10 of them might not follow the spirit of the law. Congress could require agencies to reimburse institutions for certain compliance costs as a disincentive to unnecessary forms. But these and other reforms will occur, unfortunately, only when the wheel squeaks loudly enough.

(5) The battles between public and private institutions over relatively minor policy options should yield to a unified defense of the need for a strong, competitive independent sector—not just for the well-known reasons of diversity, choice, smallness, and the rest, but because an indispensable private sector is the best protection for publicly sponsored institutions against bureaucratic control by unsympathetic agencies. Who has trouble stretching his imagination to the day when "mass higher education" is so well accepted it begins to look not dissimilar to the public elementary/secondary system of today? Indeed, there is probably a sizeable

group of political leaders who already feel two or three "systems" of higher education in each state would not be a bad way to cope with the expensive confusion of the current scene.

Additional reforms are easily conjured. None will be incorporated without difficulty into the present political milieu. One can only hope that the vast diversity of thought in higher education and the natural reluctance to bite the hand that feeds do not result in too little action taken too late.

## NUCLEAR REGULATORY COMMISSION STAFF REPORT CONCLUDES TVA NUCLEAR POWERPLANT AT HARTSVILLE, TENN., CAN BE BUILT AND OPERATED SAFELY

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1976

Mr. EVINS of Tennessee. Mr. Speaker, following the required environmental and site suitability hearings, the staff of the Nuclear Regulatory Commission has concluded that the Hartsville, Tenn., nuclear plant can be built and operated safely without undue risk to the health and safety of the public.

This is another step forward toward final approval of this project which will include four units and will be built by the Tennessee Valley Authority.

Pursuant to the report of the NRS staff, a limited work authorization has been issued permitting site preparation and other preliminary construction.

Final action by the licensing board will follow further public hearings—these hearings will concentrate on the overall safety of the plant itself.

The NRC is following the prescribed procedures and regulations to assure the safety of the general public.

This project is important and needed and will add substantially to TVA's capability to meet growing power demands.

Because of the interest of my colleagues and the American people in this most important matter, I place in the RECORD herewith the news release concerning the action of the staff of the Nuclear Regulatory Commission.

The release follows:

NRC STAFF PUBLISHES SAFETY EVALUATION OF PROPOSED FOUR-UNIT HARTSVILLE NUCLEAR PLANT IN TENNESSEE

The Nuclear Regulatory Commission's Office of Nuclear Reactor Regulation has completed its preliminary review of the safety aspects of the four-unit Hartsville Nuclear Plants which the Tennessee Valley Authority proposes to build near Hartsville, Tennessee.

As proposed, TVA would build two, dual-unit plants, designated A1, A2, B1 and B2, each of which would have a net electrical generating capacity of about 1233 megawatts. Each unit would use a standard General Electric Company nuclear island design (GEISSAR-238). The Hartsville site straddles the county line between Trousdale and Smith Counties, about five miles southeast of Hartsville, on the north bank of the Cumberland River on Old Hickory Reservoir.

The Safety Evaluation Report for the Hartsville facilities summarizes the results to date of the NRC staff technical evaluation of the radiological safety aspects of the fa-

cilities with respect to the balance of plant, site, and safety related interfaces between the standardized nuclear island and the balance of plant. The staff's previously issued evaluation of GESSAR also is included as an appendix to the report.

Based on its evaluation, the staff concludes that, subject to favorable resolution of some matters identified in the report, the Hartsville plants can be built and operated safely at the proposed location without undue risk to the health and safety of the public.

The safety aspects of the Hartsville Plant will be reviewed by the Independent Advisory Committee on Reactor Safeguards (ACRS). The advice of the ACRS as well as an evaluation of the issues for which the staff review is not yet complete will be addressed in a supplement or supplements to the Safety Evaluation Report. These documents will be part of the staff evidence at a public hearing to be held to consider safety matters before a decision is made on issuance of the construction permits. The time and place for that hearing has not been set.

Copies of the Safety Evaluation Report will be available for public inspection at the Fred A. Vought Library at White Oak Street, Hartsville, Tennessee and at the NRC Public Document Room, 1717 H Street, N.W., Washington, D.C.

## YOU ARE WHAT YOU DRINK

### HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1976

Mr. DOMINICK. Mr. Speaker, at the time of the passage of the Safe Drinking Water Act much discussion ensued on the floor of the House on how this legislation was going to clean up drinking water for all American citizens.

The Wall Street Journal of Tuesday, May 18, 1976, contained an article describing the continuing nature of our national drinking water problem. In a word, nothing much has happened to make drinking water safe.

As my colleagues may recall, the legislation was prompted by an EPA survey that detected 66 organic chemicals some of them carcinogenic in the drinking water supply of the city of New Orleans. Studies conducted since the enactment of the Safe Drinking Water Act reveal that the drinking water supply of 80 other cities contain chemicals suspected of causing cancer. These chemicals include chloroform, carbon tetrachloride, benzene, and in rare cases, vinyl chloride.

The National Cancer Institute has determined that chloroform induces cancer in laboratory rats and mice. Much of the chloroform in our drinking water supplies is believed to result from a reaction between organic chemicals and chlorine, the disinfectant used in nearly all water systems to kill bacteria. This certainly raises the possibility that many other water systems yet untested by the EPA could be contaminated with chloroform.

As the situation now stands, we have a classic Mexican standoff between the Environmental Protection Agency and municipalities all around the country. City officials want the Federal Government to issue water standards. However, they do not want standards that will re-

quire the heavy expenditure of local money. In other words, municipalities want standards they can live with.

The EPA and the municipalities are now involved in a number of studies to determine whether the risk to human health posed by contaminated drinking water is worth the tremendous investment in water treatment that will be required to correct the problem. Unfortunately, the impasse on this issue certainly does not serve the public interest. While the EPA and city administrators debate cost-benefit ratios, the rest of us are drinking water that may be shortening our lives.

Hopefully, we can arrive at a policy decision that says that American citizens are entitled to drink water that is not loaded with toxic chemicals. Efforts to clean up our water should involve a consortium approach between the Federal Government, State and municipal governments, and private industry.

Mr. Speaker, I noted with interest that the director of public health in the city of Miami—which has an abominably high level of chloroform in its drinking water—seemed to be surprised that high levels of chemicals exist in Miami's water. Evidently, finding chemicals in a water supply that comes from underground sources comes as somewhat of a surprise to health officials in that city. Just in case those officials have not yet discovered how in the world chemicals can get into ground water supplies, I suggest Rachel Carson's "silent spring" as an excellent primer on the subject. As Miss Carson pointed out so wisely in her compelling book, the toxic agents that we spew into our air and dump into our waterways have an insidious way of coming back to haunt us. The whole system works like a biological boomerang—these toxic agents do not come back to us rapidly—but they do come back.

Mr. Speaker, I commend the article in the Wall Street Journal to the attention of my colleagues. I do not have any ready solutions to this problem, but I do suggest that we cannot afford to delay much longer on coming to some kind of a conclusion as to how we are going to clean up the Nation's drinking water; 365,000 Americans will die this year from cancer. I wonder how many of them contacted the disease simply by drinking water? And, I wonder how many American children have already been affected by contaminated water. After all, a child's smaller body weight automatically makes him more susceptible to the effects of toxic chemicals.

Mr. Speaker, the article from the Wall Street Journal which provides an excellent oversight on this compelling national problem is contained at this point in my remarks:

#### WATER UNDER THE BRIDGE

(By Karen Elliott House)

WASHINGTON.—Seventeen months ago, under prodding from an environmentalist group and the city of New Orleans, the federal government checked the drinking water in that city and found 66 organic chemicals, some of them suspected of causing cancer.

In a nationally televised news conference, Russell Train, administrator of the Environmental Protection Agency, discussed the findings and announced that the EPA im-

mediately would test the drinking water of 80 other cities.

Two weeks later, Congress passed a "safe drinking water" bill that had been awaiting action for four years. The law decreed that the EPA should set national standards specifying the maximum allowable levels of various chemicals and bacteriological contaminants in water.

Thus did the EPA's authority expand from regulating the drinking water on planes, trains and buses to overseeing every water system having more than 25 customers—about 240,000 systems in all. Opponents of the legislation, such as Republican Congressman James Hastings of New York, warned that soon an EPA inspector would be checking every water tap in America.

That hasn't happened. In fact, nothing much has happened to make drinking water safer. Residents of New Orleans still drink Mississippi River water containing the same chemicals as before, and they still don't know whether it's safe or not.

Meanwhile, in the drinking water of 80 other cities the EPA has found chemicals suspected of causing cancer. They include chloroform, carbon tetrachloride, benzene and, in rare instances, vinyl chloride. In cities where these chemicals are used by industry and dumped into river water, it is easy to determine how they get into the water supply. In other cities, their source is a mystery.

Nevertheless, concern about their presence has been heightened by a National Cancer Institute study showing that chloroform, the one organic chemical found in the water of all 80 cities, causes cancer in rats and mice. Much of the chloroform is believed to result from a reaction between the organic chemicals and chlorine, the disinfectant used in nearly all water systems to kill bacteria. This raises the possibility that many water systems yet untested could be contaminated with chloroform.

But the EPA hasn't set any standards indicating what level of these organic chemicals is dangerous. Officials say they simply don't have enough scientific data to define danger levels. For their part, most city governments are content to assume that until the federal government says their water is unsafe, it's safe.

#### THE SITUATION IN MIAMI

Miami illustrates the problem. There the EPA found the highest level of chloroform among the 80 cities surveyed. But a year later no change has been made in water treatment.

"Miami has a terrible problem with its water," says Victor Kimm, chief of the EPA's drinking water program. "But until we set standards, we're not in charge."

And in Miami, Garrett Sloan, director of the water authority, says, "EPA has the expertise. In the absence of a standard by that agency I can't justify spending customers' money to remove these chemicals."

Fed up with the inaction, the Environmental Defense Fund last December asked the U.S. Court of Appeals here to force the EPA to set standards for suspected cancer-causing agents in water. "We're sitting on a 25-year time bomb and nobody's willing to do anything without proof it's about to go off," says Robert Harris, a scientist for the fund.

Responds administrator Train: "I know it sounds incredible to some but I think we've handled this problem responsibly. We've put out the information about chemicals in water and said honestly that we don't know how dangerous they are."

The reluctance to do anything about the nation's drinking-water problems seems to stem from a lot of official concern about images. The EPA is queasy about issuing standards that communities might find costly to meet. That would make the



agency unpopular. "We can't ask cities with limited resources to make big expenditures unless we're certain it's necessary," says Mr. Kimm. "Otherwise we're asking for suits."

City officials, too, seem preoccupied with their public images. Although the law requires the EPA to set standards, it doesn't preclude cities from tackling their own water problems. But the cities are reluctant to do so without having the EPA to blame for increased expenditures on water treatment. "I get calls from little old ladies who can't pay their water bills," says Mr. Sloan. "I'm certainly not going to do anything to raise their bills."

Administrator Train contends that the EPA doesn't have enough evidence yet to link small amounts of organic chemicals in drinking water to hazardous health effects. "We simply can't go off half-cocked and expect to have the confidence and support of communities," he says. There isn't any federal money available for treatment of drinking water so cities would have to pay the expense of meeting EPA standards themselves.

The law Congress passed in 1974, as an outgrowth of the New Orleans water scare, required the EPA to propose water standards within three months. Early last year, the agency did so. The limits it proposed for inorganic chemicals in water, such as lead and mercury, were noncontroversial. But the EPA's suggested limit for organic chemicals set off heavy protests from city governments and from the American Water Works Association.

Consequently, the EPA abandoned the proposed standards for organic chemicals last December, while formally adopting the other standards. The agency explained that it lacked the data to justify setting limits for organic chemicals. "To establish a maximum contaminant level under these circumstances would almost certainly do more harm than good," said the EPA.

City officials, although opposed to the earlier proposals, insist they want the federal government to issue water standards. Some make it plain, however, that they don't want standards that will require heavy expenditures of local money, and that what they really would prefer is a federal finding that their water is safe.

"EPA discovered this problem and now they ought to set a standard, to tell us how bad the problem is," says Fred Aldridge, a water engineer for Miami's Department of Public Health. But Mr. Aldridge pointedly adds: "We don't want a standard that's impossible to meet. We've got to figure the economic benefits of removing the chemicals. Maybe the cost outweighs the risk."

#### PROPOSALS FOR DISCUSSION

The agency is circulating among water works officials several revised proposals for discussion; none is about to be formally proposed however. The most liberal of these proposals would limit total organic chemical concentrations in treated water to between four and five parts per million; the most prevalent organic chemical, chloroform, would be limited to 100 parts per billion.

The EPA estimates that about 10% of the cities using surface water as their source of drinking water couldn't meet these tentative guidelines. In cities tested so far, the organic concentrations range from a low of .05 parts per million in Tucson, Ariz., to a high of 12.2 in Huron, S.D. Chloroform concentrations range from .01 parts per billion in Strasburg, Pa., to 311 parts per billion in Miami.

A more stringent proposal that is under discussion would require most cities using surface water to install new treatment to remove the chemicals. Not surprisingly, city officials consider this version unacceptable.

"We could reduce our chloroform . . . but we might not save a single life," says Stuart Brehm, director of the New Orleans Sewage and Water Board.

So the cities and the EPA prefer to continue studying the problem. In Cincinnati, 20 researchers are studying new methods of treating water to remove the chemicals. New Orleans and Miami are seeking federal funds to finance experiments with new treatment methods.

The high level of chemicals in Miami's water is especially puzzling because the city's drinking water comes from underground. Usually, such water is much purer than water from surface sources, such as rivers. "Finding chemicals in our water was a great surprise," says Richard Morgan, director of public health in Miami. "We haven't yet figured where they come from."

That's true, except for the chloroform. Officials acknowledge that it results mainly from the huge doses of chlorine the city adds to its water to remove the water's naturally brownish color and to give it a more appealing appearance.

Some chlorine is essential to kill bacteria, but Miami uses especially high amounts. "In a resort city," says Mr. Sloan, "it is unacceptable to use less chlorine and have darker water." Officials hope current experiments will produce a method for cheaply removing chemicals before chlorine is added, thereby reducing the formation of chloroform.

Methods already exist for trapping chemicals by filtering water through beds of carbon. But as long as federal and local officials remain preoccupied in debates about whether the risk is great enough to warrant the expense of treatment, reductions in the chemicals in drinking water are still years away.

#### RESISTANCE TO COMMUNISM CONTINUES IN SOUTHEAST ASIA

##### HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1976

Mr. McDONALD of Georgia. Mr. Speaker, the fighting and bloodshed have not ceased in Southeast Asia. This is true for one simple reason. Communism is not a system that is natural and people resist its application to their daily lives. It goes against human nature. And even though we abandoned Southeast Asia in our second no-win war, the fight against communism goes on. In this regard, I wish to call to the attention of my colleagues two items. The first is a news item from the London Daily Telegraph of April 28, 1976, which describes continued Laotian resistance and the second item is a translation of an appeal for help by all Vietnamese for a free Vietnam. In my view, these are noteworthy matters and should be seriously considered. The items follow:

[From the Daily Telegraph, April 28, 1976]

#### PATHET LAO CURFEW IN VIENTIANE

The Pathet Lao have clamped a curfew on Vientiane in their hunt for hundreds of political detainees who staged a bloody mass breakout from a prison just north of the capital.

Reports reaching Bangkok say that more than 400 prisoners also fled Sam Khe prison amid gunfire on Saturday afternoon after overpowering and killing the prison commander and at least 12 Communist guards.

About 100 of the escapees were killed and another 180 recaptured, but the rest fanned out through the countryside and headed for the Thai border.

Officials in the northern Thai frontier province of Nong Khai reported yesterday that more than 40 of the prisoners swam across the Mekong River to Thailand.

#### GRENADE ATTACKS

Observers believe the 8 p.m. to dawn curfew imposed by the Pathet Lao may become a permanent feature of Vientiane life, if only in view of continuing terrorist grenade attacks in and around the city.

The breakout from the old, brick prison was believed to have been carried out by followers of Bong Souvanavong, a 72-year-old nationalist politician and former publisher, who once wielded considerable influence in the Vientiane area. He was reported to be among the escapees.

Meanwhile, indications grew yesterday that the Pathet Lao may be planning the forced evacuation of people living near the Mekong River border in an effort to crush covert support for Thai-based Laotian resistance fighters who have been carrying out hit-and-run sabotage attacks over the past three months.

Recent arrivals from Laos say the evacuees will be moved to northern and north-eastern areas bordering North Vietnam and replaced by people who have lived for years in Communist-liberated zones.

[English Translation of the Affixed Appeal Which Is Being Circulated by the Hundreds of Thousands in Vietnam, and in French and Vietnamese Among Vietnamese in Europe]

A CALL FROM THE FORCES OF FREE VIETNAM TO ALL VIETNAMESE OVERSEAS AND IN THE COUNTRY:

Dear Compatriots:

It will soon be a year since our beloved Vietnam was conquered by the Hanoi Army. Twenty million of our countrymen are deprived of the minimum necessities and all the fundamental liberties, forced to attend classes of marxism and undergo indoctrination in the ideology of the dictatorship of the proletariat.

Since time immemorial in our history the people of Vietnam have never known such an atrocious slavery. This is why it must be the first aim of every Vietnamese who loves liberty to topple the bloody dictatorship and drive the criminal invaders from the country.

The organization of the Forces of Free Vietnam has been formed for this end. The resistance is already in march, from the plains of the Delta to the High Plateaux of Central Vietnam, and even in the outskirts of Saigon.

We have a better chance than many others of being able to find the road to liberty and it is our duty to contribute to the struggle with all our strength, directly or indirectly, for the resistance struggle is already going on.

For those of us who are in exile, exile only makes sense if it is with the determination to return someday to our country with a glorious victory against the communists who know no country. To live without that constant hope of return, without the will to fight, is not to be worthy of those who built our Vietnam through four thousand years of history.

Dear Compatriots:

The future of our country depends on you, all of you. Free Vietnam and an independent Vietnamese people, these are our permanent objectives. The political regime of the future which we are determined to realize for our people will be one of liberty and justice for

all. The "Forces of Free Vietnam" awaits you and has confidence in you.

Tet Binh Thin 1976—Year of the Dragon.  
FORCES OF FREE VIETNAM.

Address correspondence: France: LLVNTD (or FVNL) 3 Villa Spontini, Paris 16; Denmark: DA-FVNF P.O. Box 12—DK 2800 Lyngby, Denmark; Belgium: LLVNTD (or FVNL) 123 Rue General Jacques. 4920 Embour, Belgium.

## HISTORY GIVES ISRAEL PERSPECTIVE

### HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1976

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, one aspect of the ongoing conflict in the Middle East is the Jewish claim to the land called Israel.

Lawrence Lee, writing in a recent issue of the Pittsburgh Press, notes that the history of the Jewish people belies those who would dismiss their right to inhabit modern day Israel.

The cultural contributions of the Jews not to only Christianity but the Islamic religion also, is a manifestation of their early presence as well as evidence of their birthright.

I would like to put into the RECORD at this time Mr. Lee's thoughtful column.

[From the Pittsburgh Press, Apr. 18, 1976]

#### HISTORY GIVES ISRAEL PERSPECTIVE

(By Lawrence Lee)

The long history of the Jews has been troubled with hostilities, not of their own making.

Reasonable observers many times have asked "Why?"

Only one, Emma Hawkrige, in her chapter on the Hebrews from the impressively simple book, "The Wisdom Tree," has given an answer with firm conviction:

"They lived on the trade route between Mesopotamia by a highway . . . In shouts and alarms and fears, in defeat and exile, Hebrew greatness was born."

The Jews, as so many enchanted with their own martyrdom, like to think themselves a unique people, with virtues derived from nowhere other than themselves.

Yet, archeologists have made discoveries that mark the sequence in the history of mankind as giving the Jews much from ancient Sumeria, just as from the Jews so much of the Christian religion derives, and as so much of Islamic religion derives from Judaism and Christianity.

Identities exist. Many have made their contributions to the glory and the terror of human succession. But neither the Jews nor the Arabs are unique or even scarcely different.

Their hatred is the hatred of at least metaphorical cousins; both are Semites, "people of Caucasian stock comprising chiefly Jews and Arabs . . ."

The Jews, at least before 1200 B.C., occupied the land variously called Canaan, then Israel, then Palestine. In modern years, official acts of the nations and their international institutions confirmed the right of the Jews to create, on May 14, 1948, the Republic of Israel.

Therefore, by a long history of their presence, and by world sanction, the Jews inhabit modern Israel. They have given rights as equal citizens to those Arabs who accept the state of Israel.

No reasonable commentator ignores the necessity to solve the problems of the Palestinian refugees.

More ignore what is surely a basic truth . . . that the Jews have done what could be done to seek a solution against the odds of Arab opposition, against the odds of no willingness of their enemies to treat them as a sovereign power in any discussions, against the odds of Arabs willingness to give almost nothing to the maintenance of the health and survival of the Palestinians, against the use of the refugees as a political prod rather than with purposes of decent solution.

Apologists for the Arab nations declare that Israelis have "slaughtered" native Arab populations. Were this so, which can be disputed, it is a charge that comes awkwardly from a people who have applauded the Arab terrorists who killed women and children at Quiryat Shemona, school children in another Israeli village, unarmed Jewish athletes attending the Olympic Games at Munich.

There will be no peace until the world recognizes that the Jews were in Israel from ancient times, that they returned there in numbers because the world persecuted them.

And it is they, and no others, who brought a contemporary culture to the area, with roads and dams and pipelines; and the cultivated land has more than doubled in acreage under the energy and diligence of the Jews . . . from 412,000 acres in 1955 to 1,058,000 today.

The Jews are in Israel. Many of us think that they have the right to be there. Many of us think that if the Arabs reversed their course, two related peoples could thrive, one learning from the other.

Mankind can help. Will it?

## NEW HOOVER COMMISSION PROPOSED

### HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1976

Mr. HELSTOSKI. Mr. Speaker, the proliferation of costly Government programs and our expanding Federal bureaucracy are matters of growing concern to many of us. Individually, most of our Federal programs serve worthwhile purposes, but collectively they have accumulated to produce an unwieldy, cumbersome, and over-priced bureaucracy.

Once a new agency or program is created, it is seldom abolished, even if its usefulness has been outlived or it duplicates other activities or functions performed elsewhere in the Government. For every 10 new departments, agencies, bureaus, and commissions established within the last 15 years, less than 1 has been dismantled. There are currently in excess of 1,000 Federal programs, many of which are fragmented, overlapping, or simply ineffective.

This, our Bicentennial Year, would be a particularly appropriate time to reassess this situation and evaluate the advisability of continuing in this direction. This would be a fitting juncture to initiate a comprehensive review and examination of our Federal bureaucracy in an effort to simplify the current administrative labyrinth, reduce the myriad of Federal programs, upgrade the quality of Government services, and curtail need-

less expenditures. To this end, I propose the establishment of a new Commission on Organization of the Executive Branch of the Government, patterned after the First and Second Hoover Commissions. Both of these Commissions contributed to substantial cost savings, more efficient management, and improved lines of responsibility and accountability within the bureaucracy.

The First Hoover Commission was created in July 1947 to study and investigate the operation of the executive branch and to recommend organizational changes to promote economy, efficiency, and improved service. Its existence terminated in June 1949 after the Commission had proposed 273 recommendations to the Congress. Of these, 196 recommendations, or 72 percent, were adopted. The Hoover Commission was revived in July 1953, for the same purposes, but with a somewhat broader legislative charter. This Commission expired 2 years later, having made 314 recommendations. Two hundred of these, or 64 percent, were adopted. Estimates of the cost savings resulting from implementation of the two Commissions' recommendations ranged from \$3 to \$6 billion.

I have recently introduced a bill, H.R. 13435, which would establish a new Commission on Organization of the Executive Branch of the Government charged with making a thorough examination of the entire structure of the Federal bureaucracy. As with the earlier Hoover Commissions, it would be directed to make recommendations to effectuate the congressional policies of promoting economy, efficiency, and improved public service through:

First, limiting expenditures to the lowest amount consistent with the efficient performance of essential services, activities, and functions;

Second, eliminating duplication and overlapping services, activities, and functions;

Third, consolidating services, activities, and functions of a similar nature;

Fourth, abolishing services, activities, and functions not necessary to the efficient conduct of Government; and

Fifth, defining and limiting executive functions, services, and activities.

The new Commission on Organization of the Executive Branch of the Government would be bipartisan and composed of 12 members, 4 each to be appointed by the President of the United States, the President pro tempore of the Senate, and the Speaker of the House of Representatives. Six of the members would be from the legislative and executive branches of Government, and six would be from private life. Within 10 days after the 96th Congress is convened and organized, the Commission's report of its findings and recommendations would be due. Ninety days after submission of the report, the Commission would cease to exist.

The need for such an in-depth re-appraisal of the organization and structure of Government is clearly evident. A Government Accounting Office report released in August 1975 recounted the



following examples of multiple programs and funding sources for similar objectives:

Seventeen federal programs providing funds for manpower services for the disadvantaged;

Seven federal programs providing funds for health services in outpatient health centers;

Eleven federal programs providing funds for child-care activities;

Fourteen separate HEW organizational units administering programs for assisting in the education of the handicapped; and

Twenty-five bureaus, services, and offices in 12 departments and independent agencies conducting and/or supporting federal water pollution research and demonstration activities.

This lack of coordination, the duplication, overlapping, and administrative confusion strongly points to the need for an exhaustive review of program performance to bring about a more rational approach and more efficient use of Federal funds. The American citizen is justly insisting upon a better value for his hard-earned tax dollar. Significant economies can be accomplished by reorganizing and consolidating programs with similar purposes; eliminating obsolete agencies, ineffective activities, and unnecessary functions; and pairing down the overall size of our massive bureaucratic structure. As past experience has shown, an independent, objective commission can produce results. I think the American people would welcome such a commission as a meaningful and especially useful Bicentennial project.

#### ARTHUR JENSEN IDEAS REGARDING RACE AND GENETICS

#### HON. EDWARD R. MADIGAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1976

Mr. MADIGAN. Mr. Speaker, sometime ago this space was used to present the ideas of Arthur Jensen regarding race and genetics. Because public policy is often predicated on the assumptions of legislators and administrators about the state of knowledge of a particular discipline, it is important that the Congress have the benefit of research which sets the record straight on the allegations made by Jensen. For that reason, I am pleased to submit, in conjunction with Representatives Young of Georgia, CHISHOLM, METCALFE, and MITCHELL of Maryland, the following article by Prof. Jerry Hirsch of the University of Illinois:

EDUCATIONAL THEORY: JENSENISM: THE BANKRUPTCY OF "SCIENCE" WITHOUT SCHOLARSHIP<sup>1</sup>

(By Jerry Hirsch)

(NOTE. Jerry Hirsch is Professor of Psychology and of Zoology at the University of Illinois, Urbana. He is (1975) President of the Animal Behavior Society and was American Editor of *Animal Behaviour* (1968-1972).)

It perhaps is impossible to exaggerate the importance of the Jensen disgrace, for which we must all now share responsibility. It has

permeated both science and the universities, and hoodwinked large segments of government and society. Like Vietnam and Watergate, it is a contemporary symptom of serious affliction. It began in February, 1969, when the Harvard Educational Review (HER) published the 123-page article by educational psychologist Professor Arthur R. Jensen of the University of California, Berkeley.<sup>2</sup> Jensen marshals a large amount of evidence there, which he interprets as revealing that (1) intelligence, as measured by I.Q. tests, is mainly (about 80%) genetically determined, (2) on average blacks score (about 15 points) below whites quite regularly, (3) this racial difference in intelligence is attributable mainly to heredity and not to environment, because of the inverse relation between heritability and teachability, which explains (4) "The Failure of Compensatory Education" (opening statement of HER). His interpretation is supported by a brow-beating 159-item bibliography which has overwhelmed both critics and disciples, who join in extolling the "scholarly article. . . . He may find his position politically distasteful but . . . it is the only way to maintain his scientific integrity . . . [because] Jensen has done his homework."<sup>3</sup>

The discussion herein focuses on HER although other material is also considered. In the first two sections below, I briefly note some of the wide-ranging and uncritical reactions which Jensen's work has received. The remaining sections are given over to a documentation of the thesis that the Jensenists either knowingly have misled academicians and laymen alike, or falling that, have been simply irresponsible. Both could be true.

#### I. SCOPE OF CONTAMINATION

On a nationwide broadcast William Buckley (1974) assured a vast public, ". . . Arthur Jensen's studies . . . have not been invalidated even though, God knows, they've been subjected to the kind of scrutiny that nothing has since the Ten Commandments"<sup>4</sup>—a "truth" which over the years had repeatedly been widely publicized in nationally syndicated columns.<sup>5,6</sup>

In an unconvincing disclaimer datelined "Executive Office, The White House," Daniel Moynihan, counselor of "benign" neglect to the Watergate Presidency, wrote to reassure colleagues (soon to find essential federal support discontinued for research, training, education, economic and social programs) that, though Jensen was not "must reading" for the Nixon cabinet, "The subject did once come up in a Cabinet meeting—a perfectly casual enquiry by someone in quite a different field as to whether people in the field accepted this view. . . . No one, least of all the President, had any position. He turned to me. I said that Dr. Jensen was a respectable scientist who had set forth a hypothesis to explain a real enough phenomenon, but . . . geneticists could not yet say what is the biological basis of intelligence. . . . Lee DuBridge [Nixon's then Science Advisor, ex-President of California Institute of Technology, a physicist] . . . confirmed what for me was basically a guess."<sup>7</sup> Moynihan's remarks were prompted by a quotation from news accounts saying that Jensen was "must reading" in the Nixon administration, which appeared in the exchange (discussed below) between Jensen and Dr. Elizabeth Alfert.

In the *University of Toledo Law Review* (1970, nos. 2 & 3) about 700 pages of an entire double issue were devoted to the problems of disadvantaged students and affirmative action. The symposium featured over 50 pages of rambling "expert" (i.e. Jensen) discussion, introduced with the following remarks by the editors:

"The assumption underlying most compensatory education programs is that the students of minority cultural backgrounds possess innate abilities equal to those of other students even though those abilities

do not appear on standardized ability test scores. Most compensatory education programs, therefore, are aimed at minimizing the educational difficulties of minority students by intensive, short-term exposure to the learning environment of the dominant culture. Dr. Arthur R. Jensen controverted this premise in his controversial article "How Much Can We Boost IQ and Scholastic Achievement?" . . . hypothesizing that differences in intelligence are primarily genetically determined and is thus unalterable to any significant extent by environmental manipulations."<sup>8</sup>

Now, four years later when we appreciate the disaster that has overtaken the legal profession, we see their being duped by Jensenism to be only one small part of their enormous difficulties.<sup>9</sup> Two articles (C. Gerard Fraser, December 7, 1973, and Arnold H. Lubasch, January 8, 1974) and an editorial (January 21, 1974) in *The New York Times* report how Warren E. Burger, Chief Justice of the United States Supreme Court, and Irving R. Kaufman, chief judge of the United States Court of Appeals for the Second Circuit, have recommended that action be taken by the legal profession "to Raise Criteria For Lawyers in Federal Courts" and to effect "Curbs on Inept Trial Lawyers," because there are now too many "incompetent, unexperienced and unprincipled" lawyers in court. "Chief Justice Burger believes that at least one-third of the 375,000 lawyers in the country are not competent to argue a case in court."<sup>10</sup>

Neither justice makes any attempt to attribute their difficulties to racial inferiority, because the overwhelming majority of the incompetents and their professors (now gulled by Jensenism), who failed to teach them, are "lily white."

Of course, lawyers have no monopoly on incompetence. In *Nature*, from an account of a United States National Academy of Sciences report on the life sciences, we learn that "Among the 13,000 biological journals now churning forth from the presses the academy committee finds it possible to identify . . . about 1,000 journals in which more than 90 per cent of the truly significant work in biology appears. *Biological Abstracts* covered some 7,400 journals in 1968 but most of these are unlikely to publish anything that will materially advance the progress of science."<sup>11</sup> And, as this tale of Jensenism now illustrates, the situation in education and the behavioral sciences is certainly no better.

Time and again the opposition to Jensenism has resorted to inarticulate and self-defeating hooliganism, so easily perceived as fascist interference with academic freedom and unfettered scientific inquiry.<sup>12</sup> Their negative accomplishment has often been to stimulate newspaper stories and editorials extolling the courage of the Jensenists in their fearless pursuit of "knowledge." Unfortunately, our liberal colleagues seem not to appreciate what was happening, as indicated by the following from my mail: "You realize, of course, that I feel quite strongly that the hooliganism that disrupts Jensen, Herrnstein, et al. is something that one must expect in view of the fact that the indignities done to people are no longer being tolerated. I don't think that violence changes the things that are wrong with society, but I can understand them very well. Therefore I can hardly say that I deplore them; I just think that they are wasting their time."<sup>13</sup> Ironically, we shall now see that all they ever had to do was to read English.

#### II. SCHOLARLY INCOMPETENCE

According to Lewontin, "Jensen has surely become the most discussed and least read essayist since Karl Marx."<sup>14</sup> The thrust of my subsequent discussion will be to document in detail the intellectual disgrace that is

Footnotes at end of article.

Jensenism and to show how incomplete is Lewontin's picture: not only has Jensen been "least read" but whatever reading did occur has not been "critical" in a scholarly sense. The "experts" have shown an abysmal ignorance of the literature in their own specialties, despite the "1 or 2 million words of discussion" estimated in *Science* to have been wasted on the heredity-environment pseudo-question brought to such a sharp focus in Jensenism. For example, in the official book review journal of the American Psychological Association we find economist Phillip E. Vernon's, "Despite Jensen's superb scholarship . . . minor points . . . might be . . . challenged. I intend to ignore these. . . . In conclusion, I would applaud Jensen for his courage in bringing these problems out into the open. . . ." Two years later Vernon reiterates his approval as he again reviews the same article for the *British New Society* when a ". . . book reprints the article (with minor corrections of details), and this is useful since so many of his critics appear not to have read it." To my knowledge for the first time in its history *Science* turned over the entire book review section of one issue for a panegyrist to reassure its vast readership about, ". . . the nuances and qualifiers that make . . . Jensen's writing credible or at least responsible." (p. 1224) Not satisfied with the foregoing, the point is reiterated in *Contemporary Psychology* by Lee Willerman: ". . . the bitter controversy generated by the publication of Eysenck's book and Jensen's (1963) earlier, and more scholarly, discussion. . . . For those interested in reading on this topic, Jensen's monograph is to be preferred . . . excellent reviews . . . already appeared ( . . . Scarr-Salapatek, *Science*, 1971), which the content of this review is meant to complement." <sup>21</sup>

Of course, few cases of fervor exceed that of a recent convert from nurture to nature, Herrnstein, whose expiation yields a 249-page book extolling Jensen as its authority, heritably as its conceptual keystone (see its Index, pp. 232 and 233) and, devoid of critical acumen as Soviet hagiography; fails to detect the slightest blemish in prophet or dogma—living confirmation of behaviorism's intellectual bankruptcy <sup>22, 23, 24, 25, 26, 27</sup> and John Dewey's scathingly accurate condemnation of the psychology epitomized at Harvard. <sup>28, 29</sup>

## FOOTNOTES

<sup>1</sup> Some of this material and various parts of this discussion were presented during 1973-74 in addresses to: Case Western Reserve University, Cleveland, Ohio; The Center for Advanced Study in the Behavioral Sciences, Stanford, California; The Psychology Laboratory, Dorothea Dix Hospital, Raleigh, N.C.; The Harvey Mudd Graduate Center, Claremont, California; Hope College, Holland, Michigan; The New York Academy of Sciences; St. Louis University, St. Louis, Missouri; The University of California, Berkeley, California; The University of Illinois at Urbana-Champaign, The Department of Psychology and also the Department of the History and Philosophy of Education; The University of Minnesota, Minneapolis; The University of Pittsburgh; The University of Wisconsin, La Crosse; The University of Wisconsin, Madison; West Virginia University, Morgantown; Wright State University, Dayton, Ohio.

Appreciation is expressed for the many helpful comments and suggestions received on these and other occasions. Also, the following "stonewalling" is to be noted: "When Jensen was shown xeroxed copies of Hirsch's 'evidence,' he refused to read them and declined to make any comment. 'You can quote me as saying what Calvin Coolidge said: No comment, and you can quote me on that.'" <sup>30</sup>

<sup>2</sup> J. Fargen, "Hirsch Contests 'Jensenism,'" *University News*, St. Louis University, Vol. 53, No. 19 (March 1, 1974).

<sup>3</sup> A. Thompson, "Psychologist Blasts Jensen," *The Daily Californian*, University of

California, Berkeley, Vol. 5, No. 116 (February 26, 1974), p. 3.

<sup>4</sup> S. Kealy, "Hirsch Blasts Jensenism," *Daily Cardinal*, University of Wisconsin, Madison, Vol. LXXXIV, No. 134 (April 8, 1974), p. 1.

This research was supported by Grant No. US PH MH 10715-09, awarded by the National Institute of Mental Health, DHEW.

<sup>5</sup> At the end of my 1972 Behavior Genetics class at the University of Illinois, a student accused me of "giving us everything to read but Jensen" and he was correct! Accordingly, the next class was required to read the complete HER; each student was assigned a specific portion of its references to read, and those original discussions were to be compared with Jensen's treatment of the same material. This experience proved to have enormous heuristic value. No professor was telling those students what to think or believe. They had seen for themselves and learned from one another.

Appreciation is expressed to the following individuals from my autumn 1973 University of Illinois Behavior-Genetic Analysis class and from my 1973-74 American Association for the Advancement of Science Chautauqua courses at Stanford and Claremont, California, for the bibliographic research they contributed: Mary J. Allen, Meredith Behr, Renee Krasnow, Robert MacCallum, Andy Neher, Karen O'Donnell, Maria Santostefano, Merrill E. Sarty, Louise Shvon, Marc Simon.

I have examined personally and take full responsibility for everything in this discussion.

<sup>6</sup> A. R. Jensen, "How Much Can We Boost I.Q. and Scholastic Achievement?" *Harvard Educational Review*, Vol. 39 (1969), pp. 1-123.

<sup>7</sup> S. S. Baratz and J. C. Baratz, "Early Childhood Intervention: The Social Science Base of Institutional Racism," *Harvard Educational Review*, Vol. 40, No. 1 (1970). Reprinted in Thomas Weaver (ed.), *To See Ourselves: Anthropology and Modern Social Issues* (Glenview: Scott, Foresman and Company, 1973), p. 308.

<sup>8</sup> W. F. Buckley, Jr., "Mr. Buckley Defends His Four Reforms," *Firing Line* (Telecast), *Southern Educational Communications Association* (February 3, 1974).

<sup>9</sup> J. Aslop, "Jensenism Gains Unqualified Help," *Champaign-Urbana News Gazette* (August 26, 1973), Editorial Page.

<sup>10</sup> W. F. Buckley, Jr., "On 'Inferiority' of the Negro," *Champaign-Urbana News Gazette* (March 23, 1969), Editorial Page.

<sup>11</sup> Op. cit. (February 13, 1973), Editorial Page.

<sup>12</sup> D. P. Moynihan, "Comment: Jensen Not 'Must Reading' in the Nixon Cabinet," *Journal of Social Issues*, Vol. 26 (1970), p. 191.

<sup>13</sup> *University of Toledo Law Review*, Editors' Introduction to "Selection of Minority Students in Higher Education" by A. R. Jensen, Nos. 2 and 3 (1970), p. 455.

<sup>14</sup> M. T. Bloom, *The Trouble With Lawyers* (New York: Simon and Schuster, 1969).

<sup>15</sup> *New York Times*, articles by C. G. Fraser (December 7, 1973) and A. H. Lubasch (January 8, 1974) and an editorial (January 21, 1974).

<sup>16</sup> "Demise of Scientific Journals" by our Washington Correspondent, *Nature*, Vol. 228 (1970), pp. 1025-1026.

<sup>17</sup> "SDS, CAR Silence Banfield in U. of Chicago Disturbance," *Harvard Crimson* (March 23, 1974), *New York Times* (November 23, 1973), Editorial p. 34.

<sup>18</sup> E. Tobach, Private Communication (May 14, 1973).

<sup>19</sup> R. C. Lewontin, "Race and Intelligence," *Bulletin of the Atomic Scientists* (March, 1970), pp. 2-8.

<sup>20</sup> L. Erlenmeyer-Kimling and S. E. Stern, *Science*, Vol. 182 (1973), p. 1044.

<sup>21</sup> P. E. Vernon, Review of *Environment, Heredity and Intelligence* by A. R. Jensen, et al., *Contemporary Psychology*, Vol. 15, No. 1 (1970), pp. 161-163.

<sup>22</sup> P. E. Vernon, Review of *Genetics and Education* by A. R. Jensen, *New Society* (December 14, 1972), pp. 645-646.

<sup>23</sup> S. Scarr-Salapatek, "Unknowns in the IQ Equation," *Science*, Vol. 174 (1971), pp. 1223-1228.

<sup>24</sup> L. Willerman, Review of *The IQ Argument* by H. J. Eysenck, *Contemporary Psychology*, Vol. 17, No. 11 (1972), pp. 585-586.

<sup>25</sup> R. J. Herrnstein, *I.Q. in the Meritocracy* (Boston: Atlantic-Little, Brown, 1973). My class has just (Fall 1974) read *I.Q. in the Meritocracy*. There we find that Herrnstein refers or alludes to Jensen (his primary source) no less than 61 times in 249 pages.

Herrnstein misrepresents as "a representative sample of 1,000 men" (p. 203) what, in his own reference (Burt 1961, pp. 3, 4, 9, 10), appears as a nonrandomly selected set of almost 40,000 cases gathered "at intervals over a period of nearly fifty years." (Burt 1961, p. 4). Moreover, Herrnstein claims that in Barbara Burks' (1928) study ". . . the foster children's I.Q.'s correlated with their natural parents' I.Q.'s more than with their foster parents. . . . the true father-child or true mother-child correlations were in the .5 range. In contrast, the foster father-child correlation was essentially zero, while the foster mother-child correlation was about .2." (Herrnstein 1973, p. 183; italics added) Barbara Burks neither had nor presented any data (i.e. no evidence) on the correlations between her foster children's I.Q.'s and those of their natural parents! Herrnstein's account of Burks is simply untrue. On Herrnstein's misuse of Burks we corroborate Arthur Goldberger, whose recent work I am proud to report was inspired by my talk, "Jensenism: Racial vs. Academic Inferiority" at Madison, Wisconsin, April 5, 1974 and whose "assessment of Jensen is close to" mine. (See "Mysteries of the Meritocracy" in N. J. Block and G. Dworkin (eds.) *The IQ Controversy: Critical Readings*, New York: Pantheon 1976).

A most disconcerting and truly dangerous feature of these recent developments emerges in the credentialist philosophy expressed repeatedly by Herrnstein. Who speaks and where has become more important than what (substance) is said. When Kamin showed the untrustworthiness of Burt's twin-study heritability data, Herrnstein dismissed it as "characteristics of the polemicists in this field to argue that a single unpublished work, like Kamin's, containing no new data, refutes more than a half a century's published research by scores of respected and competent scientists." (*Harpers*, February 1974, p. 103, italics in original—a repetition of his put-down of "this chap at Princeton" on Buckley's *Firing Line* (Telecast), p. 14 of November 11, 1973 issue (in a series of Note 5.) Kamin's analysis appeared in his invited address, "Heredity, Intelligence, Politics, and Psychology," to the Eastern Psychological Association meetings, May 3-5, 1973. I have learned that the *American Psychologist* refused publication to both Kamin's paper and W. N. Schoenfeld's Presidential Address, "Notes on a Bit of Psychological Nonsense: 'Race Differences in Intelligence.'" (Both titles appear in *American Psychologist* 1973, 28, p. 791.) It was at this same meeting that R. J. Herrnstein was suddenly appointed (not elected) to the Eastern Psychological Association Board of Directors. By an incredible coincidence precisely at this time Jensen publishes his first criticism of Burt's work as the lead article in *Behavior Genetics*, (March 1974) a journal, which I am ashamed to say, since its inception has haunted my name on its Editorial Advisory Board, even though I have never once been consulted about anything it has published. Suddenly, Jensen turns on Burt regarding ". . . the often unknown, ambiguous, or inconsistent sample sizes and the invariant correlations despite varying Ns from one report to another," etc. The journal alleges that Jensen's initial and final versions were received



April 26 and May 22, 1973 respectively, i.e. leaving an incredible 25 days (including four weekends) for mail (?) communication between editors, reviewers and author and for reading, recommending, writing and typing revisions. In the 1972, 1973, and 1974 volumes of the journal, of which I have at hand issues numbers 1, 2/3, 4; 1,4; and 1 respectively, of the 25 other articles handled editorially by an apparently similar procedure, the number of days required for such processing averaged 119 and ranged from a minimum of 38 to a maximum of 233!

Furthermore, Harvard's credentialist-meritocrat now advocates the revelation (with *noblesse oblige*?) of truth from above: "Most people, even most academics, do not have the time, training, or occasion to work through the technical literature on a controversial subject. Instead, they must rely on professionals for a disinterested evaluation." (Herrnstein, *Commentary*, April 1973, p. 62; reiterated in *I.Q. in the Meritocracy*, p. 52.) By Herrnstein's explicit criteria both Jensen and he have the credentials. They are "professionals" (=intellectuals, i.e. Julien Benda's "Clerics" betrayers! See note 121.) So it should come as no surprise to find Jensen reviewing Herrnstein's book with this testimonial: "As a specialist myself in . . . psychology, I can attest that these chapters provide the most up-to-date account of the mainstream theories and research on intelligence that can be found in print today. Both for nonspecialists and students of the behavioral sciences who want an overview of what's what about IQ, this is the book to read." (*Chicago Tribune*, June 24, 1973. Section 7, p. 4.)

#### THE BREAUX AMENDMENT—"WHO'S PROTECTING THE WETLANDS?"

HON. ROBERT W. EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1976

Mr. EDGAR. Mr. Speaker, a provision to the Federal Water Pollution Control Act amendments, H.R. 9560, has merited broad and bipartisan condemnation for its potential to remove essential protections for our Nation's wetlands. Last Sunday, a provocative and informative article on this provision, known as the Breaux amendment, appeared in the *Washington Post*. Written by Paul Clancy, the article points out the danger of tampering with the Corps of Engineers section 404 permit program without extensive hearings and review of the current program. For the benefit of my colleagues, I insert it at this point in the RECORD:

#### WHO'S PROTECTING THE WETLANDS?

(By Paul Clancy)

Like hunters in a duckblind, a small but determined group of congressmen on the House Public Works Committee took aim a few weeks ago at a public law that protects the nation's fragile wetlands from destruction. Then they pulled the trigger.

The committee's action, stripping the U.S. Army Corps of Engineers of much of its jurisdiction over wetlands areas, may ultimately not find its way into law. All the same, it seemed a startling leap backward. Even lobbyists for the dredgers and fillers of wetlands were surprised. Environmentalists were positively shocked.

What was at work was not so much a renunciation of the nation's long-standing

commitment to preserve and protect the environment, but a rubbing together of politics and misinformation.

The politics of it has to do with a perceived national mood against Washington and its meddlesome federal bureaucracy. Clearly fanned by the leading presidential contenders, this wind whipped hot through the committee room during the April 13 markup of amendments to the Federal Water Pollution Control Act.

This political perception combined with a largely overblown and distorted contention that Section 404 of the act was to be enforced by a literal army of bureaucrats backed up by intolerable and unnecessary regulations.

The result was a 22 to 13 vote to restrict federal authority over wetlands to that fraction which are adjacent to navigable waters and subject to the ebb and flow of the tides. In the view of Environmental Protection Agency officials, this would leave some 80 percent of the ecologically important wetlands open to destruction by dredgers and developers.

Responsibility then would fall to the states—not a bad idea, a number of congressmen contend. Some states have rigorous wetlands protection laws. But the problem, as environmentalists see it, is that others do not.

#### CHANGE IN ATTITUDE

The wetlands, a term that applies to marshes, swamps, bogs, sloughs and river floodlands, were until quite recently viewed as an annoying hindrance to man's enjoyment of the outdoors and to the flow of commerce. This land was thus "reclaimed" for use as farms, second home developments, jetports, causeways and channels. In the past hundred years or so, an estimated 45 million acres, or 40 percent, of the nation's coastal wetlands have been lost.

Now, perhaps not too late, conservationists have convinced us that wetlands are a priceless work of nature, that they are delicate and irreplaceable breeding grounds for fish, waterfowl and fur-bearing wildlife. They aid in flood control and remove pollutants from the air and water. It takes an estimated 4,000 years for marshlands to grow to their normal teeming productivity: man can destroy them in a day.

As it turns out, the principal agency for protecting the wetlands that remain is the U.S. Army Corps of Engineers. Asking the Army to protect wetlands is like asking the Redskins' front line to dance the ballet. But no one else is doing it. Since the Corps already was issuing dredge and fill permits for waterways, it might as well assume the additional role of wetlands protector.

It is difficult at this point to say exactly what Congress intended for wetlands when it passed the amendments to the Water Pollution Control Act in 1973—except to say that the Corps would have the power to issue or deny permits to anyone wishing to discharge dredged or fill material into navigable waters. And what it meant by navigable waters was anybody's guess.

"There was a lack of information as to just what we were dealing with," says Bill Hede- man of the Corps. "The legislative history was not much help."

Without further guidance, the Corps of Engineers decided to restrict itself to the turn-of-the-century definition of waters affecting interstate commerce. It took a court order to convince the Corps that its responsibility extended to most waters of the United States, particularly swamplands and tributaries of navigable streams and rivers.

Traditionalists in the Corps were obviously horrified at this. They estimated they would have to hire an additional 1,750 employees and spend an extra \$50 million annually to write all the permits that would be required.

Then, in what seemed to many a deliberate attempt to sabotage the ruling, the Corps issued a confusing four-pronged set of regulations and a press release that flatly stated:

"Under some of the proposed regulations, federal permits may be required by the rancher who wants to enlarge his stock pond, or the farmer who wants to deepen an irrigation ditch or plow a field, or the mountaineer who wants to protect his land against stream erosion."

#### SOUNDING THE ALARM

The release hit with explosive force. The Associated Press said flatly that the Corps was seeking to extend its authority "over every lake, stream, stock pond, irrigation ditch and marsh in the nation." The next day the wire service added backyard swimming pools. Farm journals and conservation district newsletters jumped in with editorials denouncing the move as a naked power grab, a taking of private land.

Within a few days newspapers around the country sounded the alarm: Once again the heavy hand of the federal bureaucracy had thrust itself into the lives of rural Americans. One paper actually said that the Corps of Engineers would "soon be in our backyards." An editorial cartoon showed a battleship sailing up into a farmer's creek and claiming it as government property.

It wasn't long before the U.S. Department of Agriculture (USDA) joined the chorus. Secretary Earl Butz called the proposal "a dangerous extension of the long hand of the federal government into the affairs of private citizens."

The Corps did little to discourage the growing alarm. Some of its own officials went to public meetings and added their own embellishments to the story. One estimated that the Corps would regulate every creek that farmers could not jump across. Another said that, since the Corps would not have the manpower to police all the streams, it would rely on farmers to snitch on each other.

Needless to say, the Corps was flooded with angry comments. But then, as environmental groups and officials who took time to read the regulations had a chance to react, a counter-attack was begun. EPA Administrator Russell Train sharply rebuked the Corps and demanded that Lt. Gen. William G. Gribble of the Corps take immediate action to correct the false statements.

Finally, in July, the Corps backed down. Hard. Assistant Secretary of the Army Victor Veysey assured the House Public Works Committee that the Corps never had any intention of interfering with normal farming, ranching or forestry operations. He said no one was more astonished than he that the misstatements had been made; it wouldn't happen again.

And it didn't. Where there had been resistance and breast-beating, the Corps succumbed to what even its harshest critics saw as an evenhanded concern for the environment. Such an about face, one EPA official said, "is really more possible in a military organization than a civil bureaucracy. They had their orders and they carried them out."

New regulations, written in collaboration with the EPA, were published on July 25, 1975. They did indeed envision a wide program of permit issuing—but according to officials, moderate and reasonable. At least, that's what the court seemed to require.

In a three-phased program, the regulations required permits immediately for discharge of dredged or fill material into coastal waters and inland navigable waters and adjacent wetlands. A second phase, that goes into effect July 1, 1976, extends this authority into primary tributaries, lakes and adjacent wetlands. The third and final phase, beginning a year later, goes into all navigable

waters, meaning lakes of 5 acres or more and streams with a flow of at least 5 cubic feet per second.

But the regulations were remarkable not so much for what they included but what they specifically excluded.

Excluded from regulation were drainage and irrigation ditches, stock watering ponds and settling basins and farming activities "such as plowing, cultivating, seeding and harvesting for the production of food, fiber and forest products." Again: "Farming conservation practices such as terracing, check dams and land-leveling would also not be regulated unless they occur in navigable waters."

In addition, the engineers held meetings around the country to make sure people understood the regulations. Environmentalists now found themselves on the side of the Corps of Engineers and together the agency and the groups worked to dispel the past misunderstandings.

That should have been that. But it wasn't. Like a fire smoldering under ashes, the Corps' original untruths, perpetuated by critics of the program, lived on. They would continue to burn brightly, not only in the minds of the public but in the minds of members of Congress and in the minds of members of the committee that held oversight hearings on the water quality act.

More than one observer offered the explanation that Congress is not interested in the facts but only the public perception of the facts.

#### GOVERNORS JOIN IN

Neither the public nor Congress got much help from the USDA. A month after the new regulations were published—after the government's position was supposedly reversed—the Department sent out a press release which began:

"WASHINGTON, Aug. 8.—New 'dredge and fill' regulations of the U.S. Army Corps of Engineers impose the threat of 'cumbersome, time-consuming procedures' on farmers and ranchers every time they clean a ditch or build a pond, according to Robert W. Long, assistant secretary of agriculture for conservation, research and education."

The USDA kept this up for months. For instance, at a breakfast meeting last November with representatives of the South Carolina Association of Conservation Districts, Paul A. Vander Myde, Long's assistant, lashed out at "this 404 situation," calling it federal land-use control by another name. "It could be construed as federal taking of privately owned land rights without due process of law and certainly without just compensation," he said.

The soil conservation districts, guided by their national association in Washington, kept up a steady campaign against 404, as did the National Farm Bureau Federation and a number of other grass-roots organizations. Many of the governors joined in and so did their state ports authorities. Then the industries—home builders, road builders and dredgers—and finally some of the unions—particularly the dredging operators and the harbor crews—added their voices.

In short, congressmen were swamped. They faced angry farmers at home and increasingly organized lobbyists in Washington. And they witnessed a divided government.

Furthermore, it was becoming apparent that the entire federal water pollution control effort was bogged down. Congressmen were convinced that it was the EPA bureaucracy that was unnecessarily tying up grants for municipal water treatment plants. The agency was being charged with hindering rather than promoting, the cleanup of municipal wastes.

The temptation to strike out at the environmental bureaucracy had grown dangerously by the time the Public Works Committee began markup sessions on water pollution control amendments. Congressmen

didn't like the way the government had backed into wetlands protection, the way the judges and the bureaucrats were—once again—deciding national policy.

#### FEELING THE PRESSURE

But most people involved, including committee staff, figured nothing would be done about Section 404 until next year when a massive review of the act is scheduled to take place. The most that could happen, they said, would be a temporary slowdown of the regulations while Congress decided whether to write a real wetlands bill. But the pressures were such that anything could happen.

There is in Washington a lawyer named Robert E. Losch. Along with other clients, he represents the National Association of Dredging Contractors and the International Association of Operating Engineers, the ones who operate machinery in the ports. The dredging business has been slow these days and so is the harbor business. And Losch's clients are upset.

They believe that the new restrictions on dumping dredged materials are sending costs out of sight. They no longer can simply dump the material in wetlands areas above the high-water mark the way they used to. Furthermore, the Corps, long a friend of the dredgers, is saying that areas that are periodically flooded qualify as wetlands. That's bad for business.

Losch is an affable man, late 40s, Midwestern. He recently brought a tiny hermit crab all the way back from Hilton Head and gave it to the aquarium at the Department of Commerce because he was afraid it would fall prey to seagulls.

Bob Losch likes the way things work on the Hill and will admit to playing a part in a lot of key legislation. Like the deepwater ports bill and, interestingly, the original Section 404 of the water quality act. He didn't actually write any legislation, although some people apparently think so, but he knows the subjects well and has plenty of helpful suggestions. He's a compromiser.

A few weeks ago, Losch began getting pressure from a number of ports authorities—among them Charleston and Corpus Christi—to do something about section 404. He thus began coordinating the lobbying effort to bring this about. It was not a massive undertaking. Most of the lobbyists did not think there was a chance to do anything this year.

The American Farm Bureau Federation sent letters to all committee members on the Friday before the vote and urged bureaus in states that had committee members to do some calling. The forestry products people did some low-key lobbying.

Losch, figuring there might be room for compromise, pushed a bill that would have allowed states to issue their own permits for filling in land areas above the high-water mark. All the lobbyists knew that Rep. John Breaux (D-La.) intended to introduce his amendment to restrict the Corps' wetland jurisdiction, but they thought it would be shot down.

"I nearly fell out of my chair," said Keith Hundley of the Weyerhaeuser Company about what happened next.

#### PARTY LINE VOTE

It was a perceptible shifting of power blocs in the committee. Chairman Bob Jones of Alabama, wielding five proxies, made some brief remarks about restrictions never intended by Congress. But the real signal was an unexpectedly heated pitch for the Breaux amendment by the man who expects to be the committee's next chairman, Jim Wright of Texas.

Wright, considered a smart, articulate man, has had what environmentalists view as an increasingly poor record. He has been accused of being in the pockets of the billboard lobby and of pushing pork barrel projects in his district against environmental interests. Such accusations make him angry.

In fact, environmentalists themselves have recently made him angry.

"I am not aware that they have been elected to speak for the environment; I have been," he said in an interview. "I was an environmentalist before many of them even heard the word. Hell, I was fighting for soil and water conservation back when I was a kid in the Texas legislature."

Environmentalists have been generally friendly with Wright, not wanting to make enemies with the expected next chairman of a committee as important as Public Works. But his actions on 404 may have edged him into the ranks of the Dirty Dozen.

Wright asserted at the committee meeting that "any farmer or anybody who is going to dredge and fill around any water, any stock pond, any stream, any little creek running through his property" will have to get permission from the Corps of Engineers. Furthermore, he claimed, "Anybody who wants to have a little terrace across his property to hold his land as a soil conservation measure is going to have to go to the Corps to get a permit." Several other committee members echoed these beliefs.

It appeared that the Corps' careful efforts to clarify its position, even the extraordinarily specific regulations, had had little impact on the committee. The vote fell largely along party lines, with Republicans, following the lead of their ranking member, William Harsha, voting against Breaux.

Wright now concedes that the committee may have gone too far. He said that EPA Administrator Train recently expressed concern to him that, in passing the amendment, "we may have restricted the Corps to a lesser application than we wanted to. Maybe he's right."

Wright said he may offer an amendment on the floor of the House that would delay implementation of phases 2 and 3 of the regulations, giving Congress time to conduct an in-depth inquiry.

That will be fine with Breaux, although he will fight all the way for his amendment. "I may get my rear end beat on the floor, but at least Congress will have expressed its intent," he says. "I got their attention."

The lobbyists will be fighting, too. On the industrial-agricultural side, those who would have settled for a moderate change are saying, "We now go for Breaux." On the environmental side, the Section 404 fight has pushed some of the purely educational groups into active lobbying. It will be quite a fight when the bill gets to the House floor.

Whatever happens, Wright feels that Congress is just in reacting to public alarm over increasing intrusions of the federal government into the daily lives of Americans. When those Americans happen to be farmers, that's political trouble.

There seems to be a general bureaucratic head hunt in Congress this year. Among other alleged excesses, Wright lists busing, the seat belt interlock, the paperwork demands of the Occupational Safety and Health Administration and a host of "nit-picking" EPA demands.

This may be a year of running for cover. "When a guy like Jimmy Carter runs for President and rails against the Washington bureaucracy, it has to tell you something," Wright said.

#### THE COMPREHENSIVE MEDICAL PRACTICE ACT OF 1976

HON. ANDREW MAGUIRE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1976

Mr. MAGUIRE. Mr. Speaker, I am introducing today the Comprehensive Medical Practice Act of 1976, a bill which



provides a major opportunity to move health care in the United States in a direction which meets the needs of patients more adequately and at lower cost than is presently the case.

#### I. STATEMENT OF THE PROBLEM

Medical costs are increasing at a 14-percent-compounded rate every year. The cost of medical care will soon reach the point where any serious illness will be a financial catastrophe for the average citizen. Medical costs in the United States last year exceeded \$118 billion, of which \$40 billion came from the Government.

While many of these increased costs are unavoidable, many could be avoided under a more rational medical care delivery system.

In our investigations on the Oversight Subcommittee of the Interstate and Foreign Commerce Committee, we have found evidence that a large number of surgical procedures were being performed which were not medically necessary. We found that a large number of laboratory tests were being performed which were not medically necessary, were inaccurate, or for which charges were made in great excess of their actual cost. We have been told during hearings on national health insurance conducted by the Health and Environment Subcommittee that there are wide variations in the rates of hospitalization and durations of hospital stays throughout the United States. For example, patients in New England stay in the hospital 30 percent longer than in California. The control of quality in medicine is primitive. The individual practicing physician taking care of patients outside the hospital has a difficult time maintaining up-to-date information on pursuing additional education. He also has little opportunity for informal education with his fellow physicians because he is, for the most part, by himself or with his patients.

Medicine in the United States is practiced primarily in a fragmented system with much duplication and poor management; most physicians practice almost in a vacuum. Efforts in preventive care and patient education which would be so cost-effective to society as a whole, are not performed in the individual practitioner's office. He cannot get paid for it, he does not have time for it, and he is not interested in it.

Physicians and other health professionals have little or no exposure to alternatives to the solo practice method for delivering medical care; they have almost no expertise in the efficient management of our scarce health care resources.

Information regarding the efficiency and effectiveness of alternative methods for delivering health care is scarce. We are moving toward a national health insurance program in this country, yet we desperately need information comparing various methods of organizing and delivering medical care to make reasoned decisions regarding how to set up such a national health insurance program.

It is these problems that the Comprehensive Medical Practice Act is designed to solve.

#### II. ADVANTAGES OF A COMPREHENSIVE MEDICAL PRACTICE

In the bill that I am proposing, I wish to promote formation of practices of groups of physicians so that they may deal with many of the problems mentioned above. Rates of hospitalization and rates of surgery are decreased in group practices. Group practices emphasize ambulatory care.

Because of the integrated nature of group practices, quality programs can be set up, time can be taken by the physicians for additional education, and an informal network of discussion and referral within the practice leads to high-quality, up-to-date medical care.

The size of the comprehensive medical practice allows for efficient management of patients and referrals within the organization. This leads to efficient, integrated, quality care, effective use of preventive medicine, patient education, and the use of less expensive physician extenders.

I have concluded that the encouragement of the formation of comprehensive medical practices will lead to higher quality medical care at lower total cost.

#### III. MEDICAL CARE AT LOWER TOTAL COST

##### Provisions of the bill.

The bill defines a comprehensive medical practice as one which consists of several practitioners of whom half are in the primary specialties of family medicine, primary pediatrics, and primary internal medicine, while the others may represent the specialties needed to provide adequate overall care for the patients the practice serves. A comprehensive medical practice is one which offers a variety of medical services reasonably expected to meet the majority of medical needs of the local population. This means that an individual can go to a comprehensive medical practice in his area and usually expect to receive all his medical needs. He will not have to go from doctor's office to doctor's office, to hospital, to laboratory, to X-ray, in order to find answers to his medical questions. This also means that preventive health and patient education can be offered in these practices.

My bill requires that a readily identified individual be primarily responsible for each patient so that the patients will always know whom to call when they have a medical problem. This will lead to continuity of care and a formation of a long-term relationship between the patient and the physician. The bill requires that a single medical record system be kept and that the equipment, facilities and personnel be shared so that efficient use is made of these. It also requires that the comprehensive practices meet accreditation standards set up by the American Group Practice Association and the Joint Commission of Accreditation of Hospitals. This provision will assure that Medicaid mills and other unscrupulous or lesser quality groups will not qualify. These accreditation standards also require that proper equipment and personnel are available and that an active and effective quality assurance program is ongoing. I am requiring that the comprehensive medical practice have

a unitary administrative structure which assures that the patient will have an individual to go to when he has complaints regarding either the cost of his medical care or its quality.

The bill establishes funding for grants and contracts for feasibility studies for the formation of comprehensive medical practices with the emphasis on making sure that these practices conform with the planning act and that the practices which serve medically underserved areas or nonmetropolitan areas be given priority. Also, grants and contracts and loan guarantees for planning and initial development costs, and direct loans and loan guarantees for operating costs are included.

I have included provisions for expansion of existing group practices, including the formation of satellites. In this country today we have many large, fine practices of medicine and we should encourage them to move out, particularly in the medically underserved areas, and to offer the same high quality care to these individuals as they do to the patients they now serve. This provision allows for grants and contracts for feasibility studies for initial operating costs for planning and projects. Again, the emphasis is to look at medically underserved areas and to patient population areas which are presently not served by a comprehensive medical practice.

The bill contains a malpractice reinsurance program whereby comprehensive medical practices which meet the standards of this bill will be reimbursed for malpractice by the Federal Government.

The bill contains provisions that under title XIX, the comprehensive medical practices receive reimbursement rates of 125 percent of the highest rate prevailing in a State so that the rural practices will have a chance to meet their costs and comprehensive medical practices will be encouraged. Payment of physician extenders, under title XIX, is also included so that the comprehensive medical practices may use the most efficient personnel for delivering the services.

#### IV. EDUCATION AND TRAINING

The bill contains provisions for training of health professionals in comprehensive medical practices and for teaching of health professional students about the various methods of delivering medical care so that medical students, nursing students, and other professional health students will be exposed to comprehensive medical practices. It offers grants for management training and assistance and for continuing medical education of practice personnel.

#### V. RESEARCH INTO QUALITY AND EFFICIENCY

The bill provides provisions for research into various methods for delivering medical care with reports to Congress on how the formation of comprehensive medical practices and other alternative forms of delivering medical care may affect the quality and cost of medical care for our Nation.

We are requiring the comprehensive medical practices to cooperate with research studies so that their cost and effectiveness can be studied. At the end of

3 years the Secretary is directed to report to Congress the results of these studies so that Congress can benefit from this information in designing future national health insurance programs.

#### VI. NATIONAL HEALTH SERVICE CORPS AND STUDENT LOANS

The bill requires the assignment of National Health Service Corps personnel to integrated medical practices wherever possible and provides for student loan forgiveness for practicing in an integrated practice.

In summary, this bill promotes the formation of a high-quality, comprehensive practice of medicine which should lead to the highest quality of medical care at the lowest cost to our citizens. These practices should make medical care less costly, more convenient, and closer to the needs of our citizens; the bill mandates studies to see that this actually is the case. The bill is written in such a way as to encourage expansion of medical practices into rural and other medically underserved areas and is built upon the strengths of our present health care system.

#### JENSENISM—V

### HON. RALPH H. METCALFE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1976

Mr. METCALFE. Mr. Speaker, I commend the following to my colleagues' attention. It is part V of an article by Prof. Jerry Hirsch entitled "Jensenism: The Bank of Science Without Scholarship." I join our colleagues CHISHOLM, MITCHELL of Maryland, MADIGAN, and YOUNG of Georgia in submitting this article:

#### VI. BIOLOGICAL MISINFORMATION

The fundamental fallacy, on which rests the superstructure of the racist renaissance spearheaded by Jensen, is exposed in the question asked by the HER title and the false answer given to it on his page 59: How much can we boost traits A & B (= I.Q. and Scholastic Achievement)? His erroneous answer on page 59 takes the form: The fact that heritability  $B < A$  means teachability  $A < B$ . It is based on the fallacious assumption that teachability is the complement of, or varies inversely with, heritability—a fallacy echoed by Jensen disciple Scarr-Salapatek: "Heritability estimates can have merit as indicators of the effects to be expected from various types of [environmental] intervention programs." (p. 1227) When, in fact, there is no relationship whatsoever between teachability and heritability; and furthermore as Moran has now elegantly shown: "... for characteristics such as human intelligence in which the genetic and environmental components are correlated, 'heritability' cannot be defined. ... So, it is not surprising that she ignores Moran in her latest panegyric: "With the notable exception of Arthur Jensen, not many advocates of high or low heritability are adding to our store of knowledge about human intelligence." (p. 108)

There are several reasons why I have called human heritability estimates "both deceptive and trivial." The conceptual problems have been analyzed in much greater detail elsewhere<sup>104</sup> and will only be summarized here:

(1) the norm of reaction, (2) the purpose and use for which heritability estimates are appropriate, and (3) the inconsistency of scaled polyalleles. First, norm (or range) of reaction describes the fact that the same genotype can develop into quite different phenotypes depending on the environment in which it develops (e.g., grow a plant with and without fertilizer, at sea level or above the timberline, etc.) and heritability, an average statistic and population measure, provides no information about how a given individual might have developed under conditions different from those under which he (she, or it) actually did develop. Jensen denies this in a new footnote: "... there has been no evidence that different genotypes for I.Q. are affected differentially by the environment" (p. 141)—a perfectly asinine statement in the light of Jensen's own previous claim about two genotypes (normal and PKU) in one environment (phenylalanine in the diet) or one genotype in two environments (PKU genotype raised with presence or absence of phenylalanine in diet): "... a child who has inherited ... PKU can grow up normally if his diet is controlled to eliminate ... phenylalanine." (p. 45, p. 120 respectively) But then Jensen is not at home in biology when more is involved than the symbol manipulating game of Mendelian algebra and biometrics, which has a form similar to psychometrics.

He stumbles repeatedly in biology: when he tries to explain the cytological picture in Turner's syndrome, females lacking one of the two X chromosomes, he pontificates: "When their chromosomes are stained and viewed under the microscope, it is seen that the sex-chromatin is missing from one of the two chromosomes that determine ... sex." (p. 32, p. 103 respectively; italics added) Sex-chromatin (the Barr body) and chromosomes are not seen together. Chromosomes are seen during the metaphase of mitosis after the nucleus has disintegrated (literally broken down into its chromosome components). Sex-chromatin is seen "at the periphery of the interphase nucleus just inside the nuclear envelope" (p. 110) in cells containing two or more X chromosomes (usually female, one exception being Klinefelter's syndrome—not Klinefelter as given by our "authority," pp. 204 and 376, both italics added).

Second, heritability measure was developed for a purpose and use unrelated to and inappropriate for education and teaching. "An estimation of  $h^2$  [= heritability] is valuable for planning for selection [= breeding] in the particular population in which it was made." (p. 113) While Jensen's ignorance is unfortunate, his avowed goals are as heinously barbaric as were Hitler's and the anti-abortionists'. His warning and alarmist language are disgusting enough to warrant repetition: "Is there a danger that current welfare policies, unaided by eugenic foresight, could lead to the genetic enslavement of a substantial segment of our population? The possible consequences ... may well be viewed by future generations as our society's greatest injustice to Negro Americans." (p. 95; italics added) Note that throughout his writings we are whites (not Caucasians) and they Negroes (not blacks). And we should treat (= breed!) them with eugenic foresight. After all, agricultural eugenics, for which heritability measure was developed, has worked so well with plants and animals for farm entrepreneurs, why not use it with, or for (which)? man and build the Brave New World by 1984? Galton's dream was to see "man breeding man as his own domesticated animal," (p. 113) which our slavery did profitably enough to fight a civil war to perpetuate. Colman's otherwise very good discussion of "scientific racism" comes to a far too charitable conclusion: "I do not ... believe that Jensen and Eysenck ... are racists in the crude sense. ... I cannot concur."

Again in the new Preface<sup>115</sup> (p. 59) readers are informed of a "major critical effort ... containing eight articles" written about HER. In that reference we find the following: "... the causes of differential intelligence. ... It seems incredible that anyone still doubts that there are genetic factors involved. The heritability estimates cited by Jensen (1969), even if they are twice too high, should establish this point. ... For simple qualitative biochemical traits, it can be seen that there are some—blood groups, for example—that cannot be altered no matter what is done to the environment." (p. 116) The absolute fixity of the blood groups has long been a sacrosanct concept to all concerned with heredity. So it is of no small interest to consider the next fact reported by two of the internationally most renowned authorities on the subject: "It dawned slowly to ... [us] that a certain kind of weak B antigen in seven samples of otherwise group A blood ... tested over the years was, contrary to all previous experience, an acquired and not an inherited antigen. The proof that the antigen was acquired rather than inherited. ..."

The relevance of the foregoing to this discussion and to everything Jensenism represents is that this very same blood group story was presented by me to Jensen on a platform shared by us with Robert Cancro, Bruce K. Eckland, Benson E. Ginsburg, Ching Chun Li, and Steven G. Vandenberg before a large audience at the November, 1969, Illinois conference.<sup>118</sup>

If blood types can change should we assume intelligence to be less plastic? And Jensen has known but ignored this fact for at least four years.

Another way of appreciating the triviality of Jensenism's use of heritability to "answer" the nature-nurture pseudo-question is to realize that the answer thus obtained is no more meaningful than any answer given to the equally pseudo-question: "Which is more important in determining area, length or width?"

Third, the quantitative genetic model employed is elegant and impressive but let us never overlook (1) its assumptions, (2) our knowledge of reality, and (3) the fit between (1) and (2). So long as every gene comes in only two forms (= alleles), as in Mendel's classic study, contradictions are not apparent. Variances and correlations do their job. But consider the following case of a gene having three alleles,  $A_1$ ,  $A_2$ ,  $A_3$  and note what happens.

Given  $A_1=0$ ,  $A_2=1$ ,  $A_3=2$ , then  $A_1A_1=0$ ,  $A_1A_2=1$ ,  $A_1A_3=2$ ,  $A_2A_2=2$ ,  $A_2A_3=3$ ,  $A_3A_3=4$ . For a population with only alleles  $A_1$  and  $A_2$

$$\begin{aligned} \text{mean} &= \frac{0+1+2}{3} = 1 \\ \text{variance} &= \frac{(0-1)^2 + (1-1)^2 + (2-1)^2}{3} = \frac{2}{3} \end{aligned}$$

For another population with only alleles  $A_1$  and  $A_3$

$$\begin{aligned} \text{mean} &= \frac{0+2+4}{3} = 2 \\ \text{variance} &= \frac{(0-2)^2 + (2-2)^2 + (4-2)^2}{3} = \frac{8}{3} \end{aligned}$$

We find the absurd result that one population with equal proportions in its set of two alleles will have a much greater variance than another population with equal proportions in its different set of two alleles—a counter-intuitive and unacceptable inconsistency. And human genetic research is revealing an ever increasing number of loci to be polyallelic. Misleadingly the textbook discussions and illustrations only consider the simplest two allele case. That is why, when Lewontin had to deal with genetic realities involving known polyallelic human loci, he abandoned the classic quantitative



genetic model and employed the information measure.

Lewontin's important findings throw into bold relief the extent to which so many have been duped by the propaganda of Jensenism. For known human loci, "Less than 15% of all human genetic diversity is accounted for by differences between human groups! Moreover the difference between populations within a race accounts for an additional 8.3%, so that only 6.3% is accounted for by racial classification." (p. 396) With race differences contributing such a small amount, i.e. 6.3%, to human diversity on known genes, there is at this time no basis whatsoever for the specious racist rhetoric alleging race differences make a greater contribution to human diversity on Jensen's sham "intelligence genes" (phrase echoed by Humphreys).<sup>119a</sup>

#### VII. AN INTELLECTUAL WATERGATE

When it was pointed out in my discussion at Cambridge that, instead of imparting new knowledge, Jensen was acting out a classic role: There's been one every generation, go and read Henry Garrett. He said long ago everything Jensen has to say, Jensen protested and claimed that he did have something to add, but never told us what. However, he reassured the audience about Garrett's worthiness. Now Garrett certainly could not be considered to have been an "environmentalist" nor to have been prejudiced against what Jensen represents. Therefore, it is relevant to find the following discussion in Garrett's regular section of *The Citizen*:

#### WHAT IS THE ANSWER?

(By Henry E. Garrett, Ph.D., Professor Emeritus, Psychology, Columbia University, Past President, American Psychological Association)

Q: Dr. Garrett, that Dr. Arthur Jensen of the University of California certainly made a splash, didn't he, with his findings? While I am glad to see the publicity given his opinions—that Whites are smarter than Negroes—what's so new about that? It seems to me others, you among them, have been presenting this sort of evidence for a long time.

A: What Dr. Jensen did was to find that Negroes have IQs about 15 points lower, on the average, than Whites. This, it is true, has been many times reported. What is interesting about the great amount of publicity given Dr. Jensen's published work is that publicity itself. Perhaps times are changing.<sup>120</sup> (Italics added in second paragraph only)

Publicity (propaganda!) was exactly the point being made by Alfert which unleashed Jensen's scurrilous attack on her. While not all the 159 references in the HER travesty have been considered here, certainly enough material has now been examined to make clear why we can believe little, if anything, Arthur Jensen speaks or writes.

We have seen that Jensenism turns out to be a moral, not a scientific problem. On the one hand, once again we have been betrayed by the intellectuals (*La trahison des d'eres*<sup>121</sup>). That so many unscholarly "experts" would accept such a specious product provides stark proof of the intellectual bankruptcy of our present harried academic system, which overvalues speed and quantity of output at the expense of quality: publish (ever more) or perish! Jensen's list of publications reaches shameful lengths. A glimpse is provided in his *Genetics and Education* book,<sup>122</sup> where he flaunts both a list of 117 articles about HER by other writers and another list of 45 of his own articles for 1967-1972. There, his 5-year count is 1097 journal pages, plus (1) five entries without pagination, (2) the 378 pages of that book (reprinting six of his articles and adding a new 67-page self-serving preface), and (3) another

407-page book with new text,<sup>123</sup> in which we are threatened with still "A third volume soon to be published . . ." (now out in England!). Five years are 1826 days and the page total in my previous sentence exceeds 1826. There are 350 words on his average book page. So, including the duplication already mentioned, Jensen is responsible for a published torrent of more than 300 printed words every day of 5 years. My extremely conservative estimate does not include Jensen's total output or the even greater spate of words about Jensenism in journals and the media.

With such an undisciplined flow of intellectual pollution into our precious channels of scientific communication, no wonder our universities are in financial difficulty. Ironically now, under the headline "Financial Troubles Beset Libraries At Coast School," *The New York Times* describes the plight of Jensen's home institution: "The Berkeley Library has temporarily suspended buying books and planning for an addition. Berkeley is reported to be one year behind other major universities in library acquisitions . . ." Experts—scientists, scholars, professors—must forever subject to repeated skeptical scrutiny—both empirical and scholarly verification—all aspects of every knowledge claim in their province, proposed by no matter whom, published no matter where. Until the requisite caution, skepticism, and humility become integral to our graduate training, which has not been so much too long, Jensenism will remain the rule rather than the exception.

On the other hand, this story becomes part of what the very perceptive sociologist-historian of science Merton credited psychiatrist Sir Lawrence Kubie with suspecting; namely the emergence of a "new psychosocial ailment among scientists which may not be wholly unrelated to the gangster tradition of dead-end kids. Are we witnessing the development of a generation of hardened, cynical, amoral, embittered, disillusioned . . . scientists?"<sup>124</sup>—an intellectual Watergate? To paraphrase a *New York Times* editorial on the latter (June 7, 1973)<sup>125</sup>: either Jensenists knew what was being perpetrated and are therefore responsible, or did not and are therefore irresponsible. Like few other things, Jensenism demonstrates today why science without scholarship is bankruptcy.

#### ADDENDUM

As this goes to press a new major white-wash review of Jensenism (by Carter Denniston), has appeared, once again in *Science* (vol. 187, p. 161, 1975)—an appalling example of intellectual dishonesty. It ignores (1) the material reviewed here and presented in detail at Denniston's home institution (see my Note 1, subnote c), (2) Moran's fundamental paper on heritability (see Note 79 and p. 23), of which I personally distributed over 100 copies at Wisconsin, and (3) Thoday's already 14-month old review of the same Jensen book in *Nature* (V.1. 245, p. 418, 1973) documenting Jensen's misrepresentation of De Lemo's Australian Aborigine data. But then Denniston's Wisconsin colleague, Crow—that ever persistent Jensen booster—has been featured on the *Science* masthead since January 1971.

(Copies of the proofs of this article were given to Professor Jensen in December 1974, well before its publication. Journal space was made available for him to publish a reply. Jensen had no reply to make.)

#### FOOTNOTES

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- 116 T. G. Gregg and P. R. Sanday, in C. Loring Brace, G. F. Gamble and J. T. Bond (eds.), *Race and Intelligence*, American Anthropological Studies, Vol. 8 (1973), p. 58.
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- 118 R. Cancro (ed.), *Intelligence, Genetic and Environmental Influences* (New York: Grune and Stratton, 1971).
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- 119a T. Edson, "Jensenism, n—theory that I.Q. is largely determined by the genes," in *The New York Times Magazine* (August 31, 1969); L. G. Humphreys, *American Psychologist*, Vol. 30, no. 1 (1975), p. 96.
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- 121 J. Benda, *La Trahison des Clercs* (Paris: Grasset, 1927).
- 122 Jensen, *Genetics and Education*.
- 123 A. R. Jensen, *Educability and Group Differences* (New York: Harper & Row, Publishers, 1973).
- 124 A. R. Jensen, *Educational Differences* (London: Methuen and Company, Ltd., 1973).
- 125 "Financial Troubles Beset Libraries at Coast Schools," *The New York Times* (May 6, 1974), p. 19.
- 126 R. K. Merton, "Priorities in Scientific Discovery," *American Sociological Review*, Vol. 22 (1957), p. 657.
- 127 *The New York Times*, Editorial (June 7, 1973).

#### LET US OBSERVE BETTER HEARING AND SPEECH MONTH

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1976

Mr. LEGGETT. Mr. Speaker, May is far more than the month in which we observe the rites of spring. We should be aware that May is also Better Hearing and Speech Month. It is incumbent upon us to focus on the causes and effects of speech, hearing and language disorders, and what we should be doing to help the people—young and old—who suffer them.

We all know that speech, hearing and understanding are essential to human communication. A disorder in one or more of these abilities can seriously impair an individual's capacity to communicate, and we should be aware that 1 in 10 Americans suffers from a speech, hearing, or language problem.

Children with a disorder of this sort can find it difficult to learn and to form

relationships with others. Similarly, adults who suffer from these problems may be able to interact effectively with society, to obtain employment and to support themselves. These are clearly disorders with great costs for society as well as for the individuals affected.

What is the incidence of these disorders in our society? Of the 1 in 10 who suffer from some sort of communications problem, about half—nearly 10 million Americans—have a speech or language disorder.

Put simply, these disorders are the inability of individuals to understand and use society's language systems. They range from simple sound repetitions or occasional misarticulations to the complete absence of the ability to use speech or language for communication.

What are some common types?

Articulation problems are the most numerous of speech disorders. They involve difficulties with the way sounds are formed and put together and are usually characterized by the substitution of one sound for another. About three in five of all speech and language disorders are related to articulatory problems.

Stuttering is interruption in the flow or rhythm of speech and is characterized by hesitations, repetitions or prolongations of sounds, syllables, words, or phrases. This perhaps most familiar of speech disorders affects more than a million people in the United States, half of them children, and an estimated 15 million persons worldwide.

Another is voice disorders, which can be characterized by inappropriate pitch, too much or too little loudness, or problems with a harsh, hoarse or nasal tone. And a prime example of a disease affecting voice is laryngeal cancer. There are 30,000 Americans who have undergone surgery for this disease, and 8,000 new cases are discovered annually.

A related type of disorder is aphasia, which involves the loss of the ability to use speech and language as a result of a stroke or head injury. Each year there are 60,000 people in the United States suffering from this problem.

These disorders stem from a number of physical and mental causes. They range from hearing loss to neurological disorders, head injuries and stroke, and physical impairments such as cleft lip or palate. Most disorders in children result from vocal abuse that causes such problems as inflammation of the larynx or growths on the vocal cords.

How is this great variety of disorders treated? Obviously clinical treatment also varies with the nature and severity of the problem. Treatment should be provided by professionally trained speech and language pathologists, who are specialists in dealing with these disorders.

The clinical methods used by these professionals run the gamut from instructing in the production of speech sounds and assisting in control of vocal and respiratory systems to counseling individuals on how to cope with their disorder and deal with the social environment. Persons who stutter are taught to cope with this tendency and increase the proportion of fluent speech. Those with aphasia are helped to relearn language

and speech skills such as word recall and the ability to produce speech sounds.

Hearing impairment presents just as much a problem for communications as language and speech disorders. Hearing disorders can take a variety of forms, from simple hearing loss to an inability to distinguish speech sounds to impairment of language reception. It is the most frequently reported disorder according to a survey conducted by the U.S. Public Health Service in 1971. Studies show that hearing impairment affects approximately 14 million Americans, including 3 out of every 100 school children and 30 out of every 100 Americans over the age of 65.

The types of hearing impairments are classified according to the location of the problem in the hearing mechanism. For example, a conductive disorder occurs when the sound is not conducted efficiently into the inner ear, the cochlea. A sensorineural impairment reflects a damaged cochlea or auditory nerve. And a central disorder involves damage or malformation of neural structures in the brain.

These hearing problems have a variety of causes. They run the gamut from excessively loud noise to infections, head injuries and tumors to drugs and birth defects.

Highly trained physicians specialize in treatment of diseases of and injuries to the ear and related structures. For treating the effects we look to the audiologist, who is trained to deal with the communications problems associated with hearing impairment. The audiologist specializes in the prevention, identification and assessment of hearing impairments, and the rehabilitation of persons suffering from them.

Both audiologists and speech and language pathologists provide their service in many different types of facilities. These range from hospitals, rehabilitation centers and nursing centers to schools and universities as well as community clinics and Government agencies.

Mr. Speaker, I hope the designation of the month of May as Better Speech and Hearing Month will bring about greater awareness of the problems which communication disorders pose for our society and the excellent services available from the capable professionals who staff this field. This designation will have served its purpose if it helps to focus more of our attention on this vital problem area.

#### THE SECOND WAR BETWEEN THE STATES—PART IV

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1976

Mr. HARRINGTON. Mr. Speaker, today I am inserting the fourth of an eight-part series concerning regional economic development which appeared in the May 17, 1976, edition of *Business Week*. This particular segment focuses

on a New England firm which moved to the South Atlantic region. The article explores the reasons why industry finds the South and Southeast so economically attractive and the Northeast increasingly less so.

I strongly recommend this segment of "The Second War Between the States," as well as the entire article, to my colleagues.

The text of the fourth installment follows:

#### HUYCK: THE CASE OF A COMPANY THAT MOVED SOUTH

As a Northern-based manufacturer, Huyck Corp. faced a special problem in the early 1970s when it decided to find a new headquarters location. Earlier management decisions had actually split the home base between two communities 120 mi. apart. Top officers worked in Stamford, Conn., while major staff executives—chiefly those in finance—operated out of Rensselaer, N.Y. "As our business grew and became more complex, the disadvantages of operating on that basis became acute," says Donald H. Grubb, president and chief executive of Huyck. "Clearly we had to combine them. The question was where."

Because of high local operating costs, neither Stamford nor Rensselaer was considered. Instead, Huyck, a \$120 million manufacturer of belting products for the pulp and paper industry, ended up on a rolling, 85-acre site near Wake Forest, N.C. just north of Raleigh. There, in 1973, Huyck moved into a headquarters building of 8,500 sq. ft. and a second plant for Huyck's Formex Div., based in Greenville, Tenn. "Our distribution pattern dictated a site east of the Mississippi River," says Grubb. "Beyond that, we looked at everything from northern New Jersey on down."

One key deciding factor was a Huyck study indicating that North Carolina's building costs ran about 24% lower than those in the New York-Connecticut area. In the early 1970s, Huyck's leased office space in Stamford cost just over \$7 per sq. ft. per year, while space in the Raleigh area averaged \$4.50. "The cost of our headquarters building came to \$265,000, and the cost of relocating our employees was \$375,000," says Grubb. "We figure our operating savings on taxes, utilities, and such will pay back the onetime cost of the move in just under nine years."

#### JOB TURNOVER IS HIGH

Huyck finds that the average payroll for manufacturing employees runs 10% less in the Southeast than in the New York metropolitan area. But the company has not discovered any wonderland of cheap labor. "Had we been looking for a strictly manufacturing site," says Grubb, "we'd probably have gone to a smaller town without all the amenities we needed for our corporate managers. But we realized we were making a compromise. Manufacturing unemployment in the Raleigh area is only about 2.5%. So labor turnover tends to be high." In Huyck's first six months in fact, labor turnover average 44%, which obviously cut into productivity and profits, though Huyck cannot put an exact figure on the cost. "Part of this was due to the normal problems of starting up a new plant in an area where you are not known," Grubb says. "In the last six months, the rate has stabilized at 17%."

Grubb claims that Huyck's current clerical help costs 10% to 15% less than in Stamford, "and we feel we get a better grade of employee," he adds. "A young girl who was doing some typing for me recently changed a percentage figure I had used in a letter. I changed it back, and she said, 'That's wrong.' I checked and found she was correct. In



Stamford that kind of thing just wouldn't happen."

For the benefit of employees who moved south with the company, Huyck paid special attention to the local tax bite on transferees. Connecticut has no state income tax—only a capital gains tax and a fairly stiff property tax. New York's state income tax runs to a minimum 14% on \$14,000. The North Carolina rate, meantime, is 7% on a minimum \$10,000. However, North Carolina also collects an "intangibles tax" computed at 10¢ per \$100 of average quarterly cash on hand and 25¢ per \$100 of securities owned at yearend.

On the basis of income tax alone, the move's impact on lower-to-middle level executives, most of whom were based in New York, proved negligible. An employee with a \$20,000 salary, \$1,500 in cash on hand, \$25,000 in securities, and \$2,000 in dividend and interest income or capital gains would pay \$1,023 in New York compared with \$985 in North Carolina.

The tax bite on upper management, which had been based mostly in Stamford, was higher in the North. While Connecticut has no income tax, a Huyck study showed that a manager with a \$50,000 salary, \$3,000 in cash on hand, an unusually large securities portfolio worth \$400,000, and \$18,000 in dividend or interest income and capital gains would pay Connecticut \$1,048 in capital-gains taxes. By comparison, his income and "intangibles" taxes in North Carolina would run \$4,637. (If he lived in New York, his income and capital-gains taxes would run \$6,250.)

#### HIGHER TAXES, CHEAPER SERVICES

North Carolina's high income taxes, however, are offset by savings in other areas. Smaller real and personal property taxes in North Carolina eliminate about two-thirds of the difference between the northern and southern locations. In the Raleigh area, for instance, the rate on property taxes averages \$1.89 per \$100 of property value. In Stamford, property taxes average roughly \$4.60 per \$100, while in Rensselaer, they go up to a startling \$17.50 per \$100. In Huyck's North Carolina location, savings on housing and transportation more than make up the rest of the difference. Thomas M. McCrary, senior vice-president, says: "In buying a house in Raleigh, I doubled my floor space and went from pine siding to brick at about the same monthly payment."

In the same way, Grubb notes of his Stamford days, an evening out in New York was a major undertaking. "Here," he says, "you can be downtown in 15 minutes—and find a parking place."

"We found little difference in food costs, but car insurance is considerably cheaper down here," says Frederick A. Ferraro, vice-president for finances. "Clothing is not as expensive, and you don't need as many heavy clothes. Compared to what we were used to, the winters down here are quite mild and a lot shorter." Services ranging from orthodontists to bricklayers, painters, or auto mechanics are also cheaper in price. "And they come when you call them, instead of maybe six or eight weeks later," says Ferraro.

He is equally enthusiastic about local financial services. For most routine corporate services, he turns to North Carolina banks. But he maintains his relationship with New York banks. "We actually find our New York banks call on us more frequently down here than they did when we were in Stamford," he says. "I guess they just like to come to this area." Johnson & Higgins, a New York company that handles most of Huyck's international insurance, now has a branch in Charlotte, 100 mi. away.

As proof of the move's success, Grubb notes, all but one of the 35 executives who were originally asked to relocate accepted. Of those 34 executives only one has since returned to the North. "Today if we were making the same decision on whether or

not to move, there is no question that the decision would be same as our previous decision," says Grubb. "We have no regrets. In fact, if we build another plant, I'd be very surprised if we didn't build it somewhere in the South."

#### JUDGING THE NUCLEAR ENERGY DEBATE

### HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. BROWN of California. Mr. Speaker, yesterday I inserted in the CONGRESSIONAL RECORD the introduction from a recent California State Legislature publication entitled: "Reassessment of Nuclear Energy in California: A Policy Analysis of Proposition 15 and Its Alternatives."

Today, in an effort to further understanding of the issues involved with nuclear energy, I wish to insert another excerpt from that publication, which is one of the best of its kind. The issue addressed in these remarks is the nuclear debate itself. As the analysis states:

The reason for the dispute among highly qualified and knowledgeable men is that the issues are not solely resolvable through application of scientific expertise. The debate is more the result of differing views on human abilities, human fallibility and human behavior than anything else.

The excerpt follows:

EXCERPT FROM: "REASSESSMENT OF NUCLEAR ENERGY IN CALIFORNIA"

#### JUDGING THE NUCLEAR DEBATE

To any lay observer, the claims and counterclaims that are made about the safety and wisdom of the nuclear power program in this country are bewildering. Scientists themselves are unable to agree on where virtue lies. In a display of at least some levity, the public has been treated to the battle of the Nobel Laureates, a game of escalating numbers. First, two Nobelists, Linus Pauling and Harold Urey, indicated their reservations about the continued development of nuclear power. Then, under the prodding of Hans Bethe, another Nobel prize-winner, 32 scientists signed a statement indicating that in their view nuclear power was safe and a necessary energy option for this country—eleven were Nobel Laureates. The Union of Concerned Scientists next circulated a petition indicating the need for caution and the need for more safety testing prior to rapid expansion of the use of nuclear power and obtained the supporting signatures of 2300 scientists, a large proportion of whom were specialists in nuclear energy or nuclear physics. Then the New Mexico Citizens for Clean Air and Water, an environmental group of some 2000 members, a few hundred of whom work at the government's nuclear energy lab at Los Alamos, issued a proclamation that unless "potentially serious problems" were clearly on their way to solution by March 1977 the group would oppose further construction of nuclear power facilities "as an imminent hazard." Finally the American Nuclear Society gathered 32,000 signatures on a declaration that both coal and uranium are needed as power sources and that "there are no technical problems incapable of being effectively solved" in using these fuels.

The reason for the dispute among highly qualified and knowledgeable men is that the issues are not solely resolvable through application of scientific expertise. The debate is

more the result of differing views on human abilities, human fallibility, and human behavior than anything else. To have confidence in the safety of a reactor, we must have confidence in the degree of perfection man can attain in building and operating complex devices. To have confidence in the perpetual isolation of nuclear wastes, we must have confidence in the longevity of our social institutions and the rationality of future generations. To have confidence in the security of the bomb-grade fuels which are present in the cycle which results in electricity, we must have confidence in the abilities of society's deterrents to prevent actions by fanatics or organized crime. If one is pessimistic about these requirements, one does not agree with the course currently being followed to expedite the development of nuclear power. If optimistic, one is dismayed by what appear to be irrational roadblocks constantly being thrown in the way.

Alvin Weinberg, former director of the AEC's (now ERDA's) Oak Ridge National Laboratory, has said: "When nuclear energy was small and experimental and unimportant, the intricate moral and institutional demands of a full commitment to it could be ignored or not taken seriously. Now that nuclear energy is on the verge of becoming our dominant form of energy, such questions as the adequacy of human institutions to deal with this marvelous new kind of fire must be asked and answered soberly and responsibly." <sup>215</sup> The commitment to nuclear energy Dr. Weinberg described as a Faustian bargain: "On the one hand we offer—in the catalytic nuclear burner [the breeder reactor]—an inexhaustible source of energy . . . But the price we demand of society for this magical energy source is both a vigilance and a longevity of our social institutions that we are quite unaccustomed to." Dr. Weinberg indicated the issues should be "adjudicated by a legal or political process rather than by scientific exchange", because the questions are beyond the resources of science to resolve. He concluded that the benefits of developing nuclear power were greater than any risks involved. But others in using his same calculus came to the opposite conclusion.

It is not as if there is no role for technical information in this debate. But what is confounding is that in the absence of hard evidence, the facts on which to base our normative judgements are themselves disputed. Much of the information required is a prediction of future events on the basis of limited experience. This is in essence the nature of the dispute over the Reactor Safety Study and the problems of waste disposal. The crucial tests have not been done and on the whole many of the critics would be more at ease if they were presented convincing data from actual experiments.

Overall then the positions on both sides are matters of speculation. To decide between conflicting viewpoints, one is thrown back on his faith in one set of speculations over another. <sup>216</sup> In this situation, it is clear that the industry and the old AEC suffered from public mistrust by being overly optimistic in the face of increasing evidence that there were problems. To some extent this reaction is attributable to the extreme degree of scrutiny to which the nuclear industry is subjected. Because of this scrutiny, more problems in the nuclear industry come into public view than in practically any other heavy industry. To balance what some in the industry believe is the excessive attention given them, public pronouncements expressing great confidence that problems will quickly be remedied or downplaying the significance of any particular incident are issued. In the past practically no problems were ever admitted to by the AEC or the industry. The actions of the industry and their federal

Footnotes at end of speech.

regulators appear overly defensive to some and lead to mistrust and suspicion. Now this situation appears to be changing slowly.

Apparently the poor performance and problems in nuclear plants were as much of a surprise to the utilities as anyone else. As a result there has been open disputes between utilities and nuclear vendors, each blaming the other for the problems that have arisen (e.g., SMUD and Westinghouse). At least one utility, American Electric Power Company, has been openly skeptical of the continued use of nuclear power. Others in the industry have been doubtful of the prospects of economical fuel reprocessing and the skyrocketing price of uranium has caught one major vendor completely off guard. Other business groups of a traditional conservative grain are even publicly criticizing such main line projects of the nuclear power program as the liquid metal-cooled fast breeder reactor. ERDA itself has even laid bare the problems in uranium enrichment capacity, fuel reprocessing, plutonium recycling, and waste disposal which it has not yet been able to solve. But the critics' case is not conceded. There are still a good number of serious allegations that have been leveled by various critics which the industry, ERDA, and the NRC do not find well-founded.

Generally, the position of the nuclear industry, ERDA and the NRC is that the use of nuclear power is fraught with hazards but that the problems are being dealt with adequately, changes are made when necessary, and the record to date is excellent. In response the critics charge the Federal Government with being too lax in its regulation. One group said "an electrical appliance, such as a toaster or a hair dryer, has more stringent safety checks than the electrical instruments that control a nuclear plant. This is a clear demonstration of the inadequate attention given by the NRC towards protecting the public safety."<sup>217</sup> Another critic obtained an admission from an AEC official that only 2% of a plant design was ever reviewed for safety.<sup>218</sup>

But virtue is not entirely on the side of the critics either. They often have been guilty of continuing to use outdated information and making exaggerated claims. Some base their criticism more on a general anti-big-business attitude than on specific safety questions.<sup>219</sup> The most common problem is over-stating the ease with which conservation and alternative sources of energy could take up the slack left by an abandonment of nuclear power. But in balance it is likely that the industry is similarly over-enthusiastic about the low cost of electricity generated from nuclear heat compared to alternative fuels. Nevertheless there does appear to be a segment in the spectrum of critics which is careful and responsible and willing to recant in light of new evidence.

The result of the tension between the industry, the critics, and the responsible government agencies has been a pattern of events reminiscent of the debate over the Vietnam War.

Official optimism despite continued revelations of negative evidence.

Exposure of embarrassing information purposely withheld from the public (the '64-'65 WASH-740 update obtained through a suit under the Freedom of Information Act).

Defections of middle level people from one side to the other. Carl Hoyer, a nuclear engineer working on the emergency core cooling computer codes at the AEC's Idaho Reactor Testing Station, resigned to join the Union of Concerned Scientists, the group most vocal in their criticism of the computer codes. Ian Forbes, one of the first members of the UCS, resigned when he felt his colleagues were overly critical of reactor safety after the AEC modified its ECCS criteria. Then three GE engineers from middle level management in the nuclear division

balled out and criticized the safety of BWR's, and have been campaigning for the passage of the initiative. In frustration over what he regarded as the failure of the Nuclear Regulatory Commission to be concerned first and foremost with safety, Robert Pollard, the NRC manager in charge of the safety review for the Indian Point 3 reactor, resigned and took his case to the media.

"Excommunication" of "heretics". Persons who choose not to resign but to voice criticisms from within have been made so uncomfortable they felt compelled to leave. This seems to be what happened to Arthur Tamplin and John Gofman (who challenged radiation release standards as being too high) and Donald Geesamen (who believed plutonium was more toxic than officially thought).

Anonymous leaks of withheld agency information to critics engaged in legal actions against the industry and the federal agencies.

These tensions have increased remarkably in the last two years, and it looks as though the tensions will continue to build. No program can be subjected to this level of criticism, showing signs of internal discord, and continue unchanged. Some sort of reassessment will undoubtedly occur, probably within the next five years.

#### FOOTNOTES

<sup>215</sup> A. M. Weinberg, *op. cit.*

<sup>216</sup> Nobel Laureate, Dr. Hans Bethe, nuclear power proponent, was asked during the hearings if the ECCS would work when needed. He answered: "I do not know, and the people who know much more about it, like Dr. Finlayson who was a member of the [American Physical Society] panel, do not know either. On the other hand Dr. Finlayson . . . went on record to say that he has the feeling that it will work. . . . [the] best you can do is to rely on the feeling of people who have studied it very carefully . . ."

<sup>217</sup> Testimony of Dale Bridenbaugh, Richard Hubbard and Gregory C. Minor (three former G.E. officials) to the Joint Committee on Atomic Energy, February 17, 1976.

<sup>218</sup> Cherry, transcript, November 20, pg. 47.

<sup>219</sup> This was the essence of the testimony from the National Intervenor, transcript, October 29, pgs. 62-76.

#### DAN LUTKUS RETIRES AFTER 34 YEARS OF SERVICE TO SCHOOL AND COMMUNITY

HON. JAMES J. BLANCHARD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. BLANCHARD. Mr. Speaker, Mr. Dan Lutkus, the athletic director of Hazel Park Schools, is retiring after 34 years of dedicated service.

Mr. Lutkus has been with the Hazel Park School District since 1942. He spent 25 years at the high school in the physical education department as teacher, coach and athletic director and friend. In 1966 he was appointed director of physical education and athletics.

In 1946 Mr. Lutkus, with the help of others, organized the Little Oak League for ninth graders and freshmen. The league consisted of Ferndale, Berkley, Cranbrook, Birmingham, and Royal Oak. He was also active in the formation of the Southeastern Michigan Association, a high school athletic league.

This past year, he served as president of the Michigan Association of Directors of Physical Education and Athletics.

Mr. Lutkus is highly respected in the community and highly regarded by his colleagues throughout the State of Michigan. It is fitting that he be honored and commended for his years of service to the community.

It is easy to understand why Dan's friends will miss him. I am sure everyone will join me in wishing Dan the best of luck in his future endeavors.

#### THE HEBREW WORD FOR LIFE

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. WOLFF. Mr. Speaker, recently, I had the pleasure of taking part in a unique and very special Bicentennial celebration at the Jewish Institute for Geriatric Care in New Hyde Park, N.Y., with the wonderful staff and patients of the institute. The theme of the afternoon's celebration was L'Chaim, the Hebrew word for "life," which was especially fitting, for the men and women who participated in the celebration have, indeed, lived life to the fullest and have these many more years to live. These are the patients of the Institute for Geriatric Care who have experienced and contributed to some of the most important and extraordinary events in our Nation's history.

In their lifetime, they have seen advances and events that have changed the face of America and drastically altered the course of our history. The radio, TV, the automobile, the airplane, electricity, atomic energy, man in space, medical science breakthroughs—these are but a few of the milestones which these older Americans have experienced. Their lives have spanned decades of achievement unparalleled in our entire 200-year history.

Many of the men and women I met worked through the growing years of New York's garment industry. They endured the horror of sweatshops, child labor, and inhumane working conditions; many knew firsthand the famous Triangle Shirtwaist Fire, a tragedy that fortunately led to better, safer working conditions in the garment industry. These men and women could write for us a history of labor in the United States, for they have lived through its worst and best moments.

One of the highlights of my afternoon's visit to the institute was the opportunity to meet and talk to Mrs. Dora Leviton, who this year is celebrating her 102d birthday. She is truly a remarkable woman.

In conjunction with the afternoon's celebration of music and guest speakers, the institute launched its "Photographic Salute to the Life and Times of Vintage Americans," a 2-week exhibition of patients' portraits that in itself constitutes a Bicentennial tribute to a generation of men and women who have helped to shape America's history. The institute's photographic salute to its older Americans gives a very special meaning to the saying that "a picture is worth a thou-



sand words." The faces of these men and women tell the story of the triumphs and struggles that have made America the great Nation that it is today. They speak of a profound pride in our past achievements and of an enduring hope for our future. It was truly a pleasure for me to join the patients and staff of the Jewish Institute for Geriatric Care in celebrating our Bicentennial.

# FIRST DISTRICT OF MARYLAND SPEAKS OUT

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. BAUMAN. Mr. Speaker, it is my privilege to represent one of the greatest congressional districts in the United States. Surrounding the shores of the Chesapeake Bay, it includes the nine counties of Maryland's historic Eastern Shore stretching from Ocean City and the Virginia State line in the south to the Pennsylvania border in the north. It also includes populous Harford County north of Baltimore and the three southern Maryland counties south of Washington, D.C., where the first settlers began life in colonial times.

Last December I sent out questionnaires to more than 95,000 households in the First District and the response was most gratifying. More than 8,000 responses were received over a period of 2 months. Although the First District has a voter registration which is more than 3 to 1 Democratic, the responses were certainly conservative in nature, much the same as answers from all parts of the Nation as expressed in public opinion polls.

I insert at this point the full results of the survey which I conduct annually among the 550,000 people I represent:

CONGRESSMAN BOB BAUMAN REPORTS

[Percentages]

## NATIONAL AFFAIRS

1. Do you favor a substantial tax cut even if it does cause more inflation?

Yes ..... 18  
No ..... 76  
Undecided ..... 7

2. Would you favor a tax cut if it means drastic cuts in federal spending and programs?

Yes ..... 81  
No ..... 14  
Undecided ..... 4

3. Do you favor continued sales of American foodstuffs and grain abroad to countries including the Soviet Union?

Yes ..... 65  
No ..... 29  
Undecided ..... 6

4. Which of the following solutions to the energy problem do you favor?

(a) gradual decontrol of present oil prices as a spur to domestic production of gas and oil?

Yes ..... 75  
No ..... 17  
Undecided ..... 8

(b) rationing of gas and oil by the government?

Yes ..... 28  
No ..... 66  
Undecided ..... 6

(c) increased taxes on gasoline and oil to discourage consumption?

Yes ..... 29  
No ..... 64  
Undecided ..... 8

(d) complete and immediate price decontrol of gas and oil?

Yes ..... 38  
No ..... 49  
Undecided ..... 13

(e) a "windfall" profits tax on increased earnings of oil companies unless such earnings are "plowed back" into new gas and oil production?

Yes ..... 90  
No ..... 6  
Undecided ..... 4

5. (a) Do you favor federal registration of all firearms?

Yes ..... 36  
No ..... 60  
Undecided ..... 3

(b) Do you favor confiscation of all handguns?

Yes ..... 15  
No ..... 82  
Undecided ..... 3

(c) Do you favor mandatory jail sentences for those convicted of gun related crimes?

Yes ..... 94  
No ..... 4  
Undecided ..... 2

(d) Do you favor any form of gun control?

Yes ..... 47  
No ..... 44  
Undecided ..... 9

6. Do you personally have confidence that the American economic system has the ability to produce prosperity?

Yes ..... 82  
No ..... 10  
Undecided ..... 8

7. Would you favor some form of tax supported national health care for all?

Yes ..... 25  
No ..... 66  
Undecided ..... 8

8. How do you rate President Ford's performance after one year in office?

(a) excellent 5%; (b) good 31%; (c) only fair 41%; (d) poor 16%; (e) terrible 7%.

9. How do you rate the performance of the 94th Congress?

(a) excellent 2%; (b) good 9%; (c) only fair 35%; (d) poor 32%; (e) terrible 22%.

10. Do you favor reform of the federal food stamp program which would drastically cut the number of persons eligible for benefits totalling \$6 billion?

Yes ..... 94  
No ..... 4  
Undecided ..... 2

11. Do you favor a federal law to guarantee everyone a certain level of income?

Yes ..... 11  
No ..... 82  
Undecided ..... 8

12. Please rank in numerical order of their seriousness as you see them the problems facing America:

(a) inflation 28%; (b) moral decline 17%; (c) lack of leadership 14%; (d) big govern-

ment 11%; (e) union power 11%; (f) unemployment 9%; (g) energy crisis 5%; (h) other 3%; (i) big business 2%.

13. Are you personally pleased with the direction in which the United States is moving?

Yes ..... 8  
No ..... 79  
Undecided ..... 13

## FOREIGN AFFAIRS

14. Who do you think benefits most from the policy of detente?

(a) United States, 6%; (b) Soviet Union, 68%; (c) Neither one, 6%; (d) About equal, 19%.

15. Do you generally support US foreign aid programs?

Yes ..... 22  
No ..... 70  
Undecided ..... 9

16. Do you think that the US should have a national defense capability that is:

(a) clearly superior to the Soviets, yes, 58%; (b) about equal to the Soviets, yes, 22%; (c) or, should we have mutual disarmament, yes, 21%.

17. Do you favor the US giving any of its rights to control and operate the Panama Canal?

Yes ..... 12  
No ..... 79  
Undecided ..... 8

18. Do you think that the US should refuse to ship food or manufactured goods to OPEC oil producing nations which continue to raise the price of the petroleum they sell us?

Yes ..... 58  
No ..... 34  
Undecided ..... 8

19. If the Presidential election were held today who would you support with your vote? (Check only one.)

(a) Ronald Reagan 39%; (b) President Ford 28%; (c) George Wallace 10%; (d) Hubert Humphrey 7%; (e) Others (please indicate) 5%; (f) Henry Jackson 4%; (g) Ted Kennedy 4%; (h) Morris Udall 1%; (i) Lloyd Bentsen 0%.

20. Do you approve of the way I have represented you as your Congressman?

Yes ..... 79  
No ..... 6  
Undecided ..... 15

(Percentages may add up to slightly less than 100%, because not all respondents answered every question.)

## UNAVOIDABLY ABSENT

HON. ROBERT W. KASTEN, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. KASTEN. Mr. Speaker, on April 30, 1976, I was unavoidably absent and missed three record votes. In an effort to provide a complete voting record for the constituents of the Ninth Congressional District of Wisconsin, I would like to take this opportunity to indicate my position on those votes if I had been present:

First, I would have voted for H.R. 366, the Public Safety Officers Benefits Act.

Second, I would have voted against the Gibbons amendments to H.R. 366, which would have deducted death ben-

efits from general revenue sharing funds received by the employer of the deceased.

Third, I would have voted for H.R. 365, the Firefighters Benefits Act.

#### EDGAR AMENDMENT

### HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. MAZZOLI. Mr. Speaker, Chairman BROCK ADAMS—and his House Budget Committee—worked diligently for months in preparing the first concurrent resolution on the budget. They did a masterful job in the limited time available to them, in handling the complex and controversial matter of setting national budget priorities.

During House consideration of the first budget resolution, Chairman ADAMS supported an amendment adding \$1.2 billion to the budget for veterans' cost-of-living benefit increases. I followed Chairman ADAMS' lead and voted for the amendment.

Chairman ADAMS did not, however, support other floor amendments which proposed to add funds to the budget for various kind of veterans' services. Among such amendments opposed by the Budget Committee was the so-called Edgar amendment which added \$610 million to the budget to fund the costs of extending the cutoff date for utilizing Vietnam-era GI educational benefits.

Again, I followed Chairman ADAMS' lead and voted against the Edgar amendment. However, it was approved by the House.

My vote was one of the most difficult I have cast since coming to Congress.

Because my vote may be misconstrued, I want to emphasize that I am a co-sponsor of legislation to extend the delimiting date for Vietnam-era GI educational benefits. I support granting the Vietnam-era veterans a further period during which to utilize their GI educational benefits.

My vote against the Edgar amendment, therefore, was not a vote against extending the delimiting date. Rather, it was a vote in favor of the integrity of our new congressional budget process. It was a vote endorsing the hard work done by Chairman ADAMS and his committee in balancing and adjusting all the demands for funds which were sent to his committee by all the standing legislative committees of the House.

Finally, my vote was a vote in support of the proposition that Congress has to make some hard, unpleasant, and politically unpopular spending decisions if it ever hopes to gain a solid hold on the national "purse strings."

One final word: The House/Senate conference decided to reduce the funds the House had added to the budget in approving the Edgar amendment. In a sense, we are back at "square one" regarding these educational benefits.

However, the first budget resolution,

just approved, only sets spending and revenue "targets." The second resolution—which will be before the Congress this fall—will set final ceilings on spending and on revenue.

I am confident additional funding will be incorporated in the second—final—resolution to provide funds for all the worthwhile veterans' services—including educational services—not provided for in the first resolution.

#### SOUTH TEXAN HONORED FOR WILDLIFE CONSERVATION

### HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. DE LA GARZA. Mr. Speaker, a resident of Kingsville, Tex., in the 15th Congressional District which I have the honor of representing, has devoted his life to wildlife management and conservation. In word and deed he has worked for the proper use of rangelands for game as well as livestock. It is well said of him that he has always kept his feet on the land.

Mr. Lehmann recently received the Distinguished Service Award for 1976 from the Texas chapter of the Wildlife Society. In making this award the Wildlife Society honored itself as well as the recipient of the award. Valgene Lehmann is outstanding in his field.

In order that my colleagues may share my knowledge of the valuable contributions made by my constituent in an important area, I am inserting as part of my remarks a brief profile of Mr. Lehmann as published in the Kingsville-Bishop Record News:

RETIRED KING RANCH WILDLIFE EXPERT RECOGNIZED—HE IS STILL TRYING TO PROTECT ANIMALS

(By Dee Dee Darkis)

Valgene W. Lehmann, retired employee of the King Ranch, Inc., is the recipient of the Distinguished Service Award for 1976 given by the Texas Chapter of the Wildlife Society.

Born in Washington County, Lehmann is one of several scientists of German stock produced in that area who have distinguished themselves in wildlife ecology and management.

Lehmann spent formative years in the Natural environments and hunting culture of Washington County and it was these influences that led him to university training where he emphasized biology in his major subjects.

The wildlife ecologist received his Bachelor of Business Administration from the University of Texas and a Master of Science degree in Wildlife Management from Texas A&M University at College Station.

His contribution to publications is vast. Of the many publications and emphases of his professional life, Lehmann is best known for his work with upland game birds and his holistic approach to the proper and conservative use of rangelands for game as well as livestock.

Major publications include his monograph on "Attwater's Prairie Chicken, the Relationship of Vitamin A to Bobwhite Quail Reproduction" and his book, "Forgotten Legions."

Lehmann's publications on range-wildlife management and the uses of fire in wildlife habitat manipulation are contributions that have had a large influence on the ranching industry, both locally and internationally.

According to Dr. James Teer, chairman of the Department of Wildlife Sciences at Texas A&M, a man is more than his publications. "Our recipient is one who takes a stand or position and unflinchingly pursues it," Teer said.

"His committee work in professional organizations and citizens' groups has had an important effect on conservation and the management of wildlife and rangeland habitats," Teer went on to say.

As an employee of the Texas Cooperative Wildlife Research Unit at Texas A&M University, as well as the old Texas Games, Fish and Oyster Commission and of the United States Fish and Oyster Commission, as well as the United States Fish and Wildlife Service, Lehmann has left his mark through his understanding and interpretation of the natural world.

"He is an interesting man," Teer said.

"What a great experience it is to just sit and listen to Val in a quiet place as he talks of the ecology of the brush country."

"He has always kept his feet on the land and his associations with sportsmen and user groups have enabled him to keep pragmatic goals in his research and educational pursuits," Teer said.

Lehmann resides at 629 W. Lee. Theoretically retired, he spends most of his time working for the advancement of his first loves: wildlife and the wise use of our world.

#### NO CURRENT CRISIS ON ASIA'S RIM

### HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. LAGOMARSINO. Mr. Speaker, I would like to bring to the attention of my colleagues the following column by my constituent, Mr. Henry Huglin, entitled: "No Current Crisis on Asia's Rim." I am sure many of my colleagues will agree with Mr. Huglin's article.

The article follows:

#### NO CURRENT CRISIS ON ASIA'S RIM (By Henry Huglin)

HONG KONG.—Along the rim of East Asia there is presently no crisis area. The political shudders which followed the collapse a year ago of South Vietnam and the domino falls of Cambodia and Laos have subsided. And, for now, the ruling parties have discontent bought off with economic progress or repressed through authoritarian measures. But there are many tensions and crisis possibilities, including some within the communist nations.

The non-communist nations, and Communist China as well, are much concerned over our nation's future course—how much will we be going to have to keep up our military strength to at least match the Soviets, and whether we are going to continue to use that and our other strengths responsibly as a superpower on whom they inevitably must, in part, depend.

A survey trip through Japan, South Korea, Taiwan, the Philippines, Singapore, Thailand, and Hong Kong is comforting for the short term prospects. But, for the long term prospects, the situation is disquieting, because there seems not to be the means for



the economic, social, and political changes needed to stave off the communists' long term threat—through their pie-in-the-sky unfulfilled promises of better lives, backed by subversion, terrorism, and guerrilla warfare.

Except in Japan, the old hierarchical ways, the privilege classes' prerequisites and influence, and the habits of corruption may be too ingrained to be effectively moderated—without radical and brutal changes, with economically and politically stultifying, permanently repressive results, such as have taken place in China, Vietnam, Cambodia, and Laos.

And we needn't expect development of greater democracy, but of less. Except again for Japan, there haven't developed, and probably won't develop, truly effective, certain constitutional means for changing governments.

Of course, in the non-communist Asian rim nations there are possibilities of changes of government by coup, if democratic elections do not bring the necessary changes—but this is an uncertain and not often satisfactory procedure. Yet, such possibilities are at least better than in the communist nations where, once in power—though subject to intra-party upheaval, as in China—the police state is so efficiently pervasive that no means for any real change of regime exists.

The non-communist East Asian nations are blessed with generally rapid economic development. This reflects the linking of their cultures' strong work ethic with the incentives of various versions of free enterprise capitalism—with the economic results overshadowing the lesser, but more egalitarian, development of the communist nations.

Also, everywhere there are American businessmen plying their trades, buying raw materials we need and selling our products. All of the non-communist nations welcome our multinational corporations' technology and factories—for the jobs they provide and the managerial knowhow and capital investment they bring.

Yet, future political stability, economic growth, and the well being of the people of these nations basically must depend on their own policies and actions. But their success also unavoidably depends to some degree on what our country, as a superpower, does to continue to promote geopolitical stability and the basic balance of great-power politics in the world, particularly in our highly important triangular relationship with Russia and China.

Throughout Asia, great-power politics are now an underlying current.

In addition to their concern over our future course, the smaller East Asian non-communist nations are much concerned with China, as the strongest regional power in population, geographic size, military strength, and cultural impact. And they are also concerned with Soviet Russia as the great power with the most influence on North Korea and North Vietnam, which are the most militant and, except for China, the strongest militarily in the area.

As for us, we still have, of course, firm treaty commitments with Japan, South Korea, Taiwan, and the Philippines. And, in all except Taiwan, we have tens of thousands of troops and important military bases. Thus, we are apparently continually committed and deeply involved geopolitically in East Asia. Yet, we have a long way to go fully to dispell the doubts—in the wake of Indochina's collapse—as to the validity of our commitments.

So, with the non-communist Asian rim nations, our relations prudently must continue along the realistic power politics lines of the past—hopefully with success in the coming decade greater than during the decade of Indochina failure just past.

## NATIONAL HANDICAPPED AWARENESS WEEK

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. BRADEMAS. Mr. Speaker, the 94th Congress has demonstrated its concern and support of programs to aid persons who by reason of physical or mental handicaps are not always able to fend for themselves.

The Education for All Handicapped Children's Act was signed into law on November 19, 1975. This measure, an historic advance in educating America's handicapped children, will mean new hope for millions of physically or mentally disabled youngsters.

In addition, Congress has voted to extend for 2 more years the Rehabilitation Act. This important measure provides services to handicapped adults to enable them to prepare for employment and productive useful living. For over 55 years, the Rehabilitation Act has been helping handicapped people with a full range of rehabilitation services, including medical care, therapy, employment training and counseling, assistance in securing the tools and other necessities needed to work, and securing employment.

As chairman of the Subcommittee on Select Education, with responsibility over matters relating to the handicapped, I am pleased to cite these legislative achievements of the 94th Congress.

Mr. Speaker, earlier this year, on March 15, I introduced a resolution calling on the President to proclaim the week of May 16, 1976, as "National Handicapped Awareness Week."

At this point I would like to insert relevant correspondence in this matter which I have received from the White House:

THE WHITE HOUSE,  
Washington, D.C., May 14, 1976.

DEAR CONGRESSMAN: Because of the interest you have expressed in the President issuing a proclamation to designate the week of May 16, 1976, as National Handicapped Awareness Week, I thought you would find the enclosed Presidential statement of interest.

Although it was not possible to issue a proclamation, the President was pleased to issue this statement in recognition of our commitment to handicapped Americans.

Sincerely,

MAX L. FRIEDERSDORF,  
Assistant to the President.

THE WHITE HOUSE,  
Washington, D.C.  
NATIONAL HANDICAPPED AWARENESS WEEK  
MAY 16-22, 1976

I commend the attention of all Americans to National Handicapped Awareness Week. It is an observance which should remind us of our need to eliminate architectural barriers which still stand in the way of handicapped citizens and our need to build a system of public transportation which brings new mobility to those who are handicapped.

Our success in heeding the message of this observance can result in more jobs—and a greater variety of jobs—in more businesses and industries. It can bring closer the day when all our citizens have full access to public facilities and when all Americans can more fully exercise their inherent rights.

The message of National Handicapped Awareness Week should remain with us as a continuing commitment to enable handicapped Americans to achieve greater personal self-fulfillment and meaningful contribution to our society.

GERALD R. FORD.

THOMAS J. FARLEY—MILWAUKEE  
SCHOOL FOOD DIRECTOR

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. REUSS. Mr. Speaker, Milwaukee is fortunate to have Thomas J. Farley as director of its school food programs. Today's edition of the New York Times contains an excellent article by Mimi Sheraton on outstanding school food programs in the Nation, and she gives special praise to Mr. Farley as an "energetic perfectionist" who has helped create a "school-lunch paradise." The article is also a tribute to the many men, women, and young people who participate in the Milwaukee program and make it a success.

The article is entitled "School Lunch Utopia: No Impossible Dream", and I want to share it with my colleagues:

SCHOOL LUNCH UTOPIA: NO IMPOSSIBLE DREAM  
(By Mimi Sheraton)

School food does not have to be bad. As hard as that may be to believe, considering the food served in most New York City schools, there is a good deal of encouraging evidence to the contrary. Many schools throughout the country achieve more than minimum standards of palatability, all on limited budgets and within the requirements of the United States Department of Agriculture.

Based on a study of lunches in 150 schools in five cities, the key to success appears to be the amount of preparation done in the school kitchen. The formula, at its simplest, is the more the better.

If there is a school-lunch paradise, it is Milwaukee, and the lively, energetic perfectionist who is the director of that program, Thomas J. Farley, has won a number of prestigious food service awards.

Boasting a 70 percent participation out of a 105,000 enrollment, with 22,000 free lunches, Mr. Farley prepares meals from scratch in almost every school, baking everything on the premises, including hamburger rolls, and transporting hot cooked food to the few schools that have no kitchens. He does all of that at what he says is the lowest priced lunch in any major city in the United States, a figure he compiles each year by requesting prices from 50 large cities.

Elementary students pay 30 cents, while high schools charge 35 cents per lunch. The program is self-supporting and receives no municipal funds to supplement Federal and state subsidies.

Every school in Milwaukee offers the same lunch on a given day and, unlike the New York high schools, no additional foods are sold a la carte nor are students permitted off the premises for lunch.

Leafy green salads with a choice of dressings, delicately seasoned Swedish meat balls, convincing lasagne and crisp golden grilled cheese sandwiches are among the understandable favorites.

Asked how he could produce such good food at such low prices, Mr. Farley gave several reasons.

"For one thing, remember you get better food," he said. "Why that meal pack stuff could gag a maggot. Since we prepare the same meal for all schools we get better bulk prices, have less waste, and pay lower delivery charges since wholesalers do not have to figure out which school gets what."

"And, our course," he continued, "it's just plain cheaper to do your own cooking than to have someone else do it for you. Our labor costs are about 30 percent lower than New York's, but even more important, we do not pay a differentiated wage scale. We can rotate kitchen workers so they learn all jobs and become well-trained."

#### CHOOSE MENUS

If Milwaukee food personnel hear few gripes it is mainly because two students from each of 33 high schools meet seven times a year with Mr. Farley to relay student complaints and suggestions, decide on new menus, and try out new recipes and products. Having had a voice in the menu planning through their representatives, students do not resent menus imposed on them by adults.

When asked if the lack of choice might not be a shortcoming, Mr. Farley explained: "Remember, our students make a choice when they choose their menus. Choice on a cafeteria line is bunk. You could have two or even three choices a day and there would still be some kids who didn't like anything available."

As for being able to produce the food he does in New York with the city's wage scale, Mr. Farley said, "Of course. But I would have to have the same commitment from the Board of Education in New York as I got in Milwaukee. That is to install cooking kitchens in new schools and add them to existing buildings. Ours here is a 20-year plan."

"It would cost more, but could still be done within Federal, state and municipal allowances. Not that I would want to have that job, of course. It's possible that there's just no way to be right in New York."

Like Milwaukee, New Orleans also cooks the same lunch from scratch, for all schools in the city each day. Every midmorning, students in classrooms are blissfully distracted from studies by the sweet smell of freshly baked rolls being taken from the oven. Entrees such as red beans and rice, chili, Italian specialties and even shark are seasoned to suit the spice-loving New Orleans palate.

#### SUCCESSFUL AND SIMILAR

Chicago and Newark, both of which utilize the same four lunch systems as New York, have the same record of success and failure—good lunches when cooked on the premises, mediocre to poor lunches when comprised of meal packs and bulk convenience choices.

New York does a much better job than either, however, with the basic soup and sandwich lunch.

As a group, some of the best lunches in New York were those cooked—from the basics up—in District 1 on the Lower East Side. Three years ago, the local school board chose to administer its own lunch program.

Throwing out all meal packs, bulk convenience and basic lunches at the demands mostly of parents, the local board hired its own personnel, developed its own sources for food, and planned its menus, taking advantage of all Federal and state subsidies and donated commodities.

Nine old schools with no kitchens received meals from cooking kitchens in heated conveyors just before lunch. Much fresh food is used, supplemented with about the same range of convenience items used in cooking kitchens operated by the city's school lunch bureau.

So satisfied are the parents in this district, that they voiced strong opposition when the recently completed Public School 142 was equipped only for bulk convenience foods.

When the District 1 board threatened not to open the school until a cooking kitchen was installed, a range and venting system were added.

But the single best group of school lunches sampled in New York were those served at yeshivas, under the Board of Jewish Education. Since these schools qualify for all subsidies and donated commodities, they must meet government standards. In addition, because their food must be kosher, and such convenience items are either not available or extremely expensive, they are practically required to do all cooking from scratch.

Even considering the advantage these schools have by catering to a homogeneous group with the same eating habits, and not having to meet union wage scales, they do an extraordinary job of turning out delicious food.

Beautiful vegetable and bean soups, cold beet borscht, elaborate, crisp salads, vegetable chow mein, and pizza made with donated flour and among the dairy specialties.

Meat kitchens add expertly seasoned goulash, and convincing Italian meat balls and sauce, or inventive entrees such as crisply breaded schnitzels cut from turkey roll. And the cakes and cookies could compete with those at quality neighborhood bakeries.

#### A TRIBUTE TO GEORGE SIMMONS

#### HON. RON DE LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. DE LUGO. Mr. Speaker, it is with extreme sorrow that I rise today to report to you the death of an old friend, not only to me, but to the people of the Virgin Islands as well.

George Simmons spent 54 years in service to the United States, and Virgin Islands, Government. He began as a 16-year-old messenger in the office of the Government Secretary in 1920. His talents did not end there; however, and by 1947 he had attained the post of Deputy Customs collector for the island of St. John. He was appointed Administrator of St. John by the second appointed Governor of the Virgin Islands, and held the post until 1965. He was reappointed in 1970, and maintained the position until his retirement in 1974.

Among the many accomplishments implemented under his administration was the opening of the Coral Bay-Cruz Bay road bypassing Bordeaux Mountain; the institution of ferry service to St. John in the 1940's; setting up the first generating service to provide part time electric power to the island in 1946, and bringing the phone system to the island a few years later.

His death on May 6 left a void that will be hard to fill. His dedication and his unselfishness in his work brought to the job consistently high standards with which we can all be proud. All of us concerned with the welfare of the Virgin

Islands will miss him terribly. As Tennyson noted:

George was one of those men who could, "... smite the sounding furrows, and sail beyond the sunset and the paths of all the Western stars. . . ."

#### THE KISSINGER MORALITY

#### HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. McDONALD of Georgia. Mr. Speaker, many of us have been disturbed by Secretary Kissinger's recent foray into Africa and the tone of his remarks which appear to call for the overthrow of two governments friendly to the United States. We have been further disturbed by the apparent selective morality and hypocrisy of the Secretary's statements as regards majority rule and democracy. In my view, Rev. Lester Kinsolving reviewed this matter very well recently in *Politics & Religion* in its May 13, 1976, issue. The column follows:

#### THE KISSINGER MORALITY

While Secretary of State Henry Kissinger was touring among the few black African states that will let him in, his spokesman back in Washington was trying to explain the selective African indignation of President Ford's diplomatic Wonderman.

Frederick Z. Brown first announced that Rhodesian Prime Minister Ian Smith's bringing blacks into his cabinet "will not meet our conception of what representative government means."

The following day he was asked by this commentary how Dr. Kissinger's announced ideal of "majority rule" could be applied to what the State Department's own African desk concedes are 19 military dictatorships and 20 governments where the majority is not allowed to vote for the political party of its choice.

"It is not possible for me to get into characterizations of other countries," replied Mr. Brown, a young and courteous man, with a touch of desperation in his voice. "The Secretary is speaking about Rhodesia."

So I asked him why Dr. Kissinger's ideal of representative government is promoted only for Africa's white governments and not for its black governments.

After one of the longest and most ear-splitting silences in the history of State Department daily press briefings, Mr. Brown repeated that Dr. K. was speaking about Rhodesia.

Thanking him for this repeated answer, I reciprocated by repeating the question—in slightly altered form:

"Why is your conception of representative government applied only to white and not to black governments?"

"I really don't have any idea," he answered, repeating again the hardly informative statement that Dr. Kissinger was addressing Rhodesia.

Dr. Kissinger was that very day visiting Liberia. So I asked whether the Secretary's inclination to provide moral guidance to selected African governments would extend to a proposal that Liberia's President, the Rev. William Tolbert, take steps to expunge his nation's constitution of the racial segregation which has been spelled out for more than a century—and which denies the vote



and even the right to own property to all non-blacks.

"The Secretary has been fully briefed on Liberia," explained Mr. Brown, with only a hint of acerbity.

Did that briefing include a reminder that Liberia has racial segregation in its Constitution?

Mr. Brown did not know. Neither did the stay-at-homes at the Liberian and West African desks—because the Secretary's briefings are classified.

But a not unreasonable speculation is that nothing is said about Liberian segregation—because it is black.

#### MASSACHUSETTS RESIDENT UTILIZES SOLAR ENERGY

### HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. MOAKLEY. Mr. Speaker, an increasing number of American homeowners are actively considering the advantages of solar energy in heating and cooling their homes. I would like to share the experiences of Mr. George Basile, of Dedham, Mass., who is a pioneer in New England in the utilization of the Sun's rays to heat his home, thus saving energy and reducing long term energy costs. The article, which follows, is reprinted with the permission of the Daily Transcript, in which it appeared on Friday, May 16, 1976.

The article follows:

LETTING THE SUNSHINE IN . . .

(By Eleanor Siegel)

George Basile of Dedham is a man who believes in thinking ahead. He is one of a growing number of Americans who really believe the day is approaching when there will be a drastic shortage of fossil fuel.

Fossil fuel is coal, oil or natural gas. They are the residue of long-dead plants. The combustible elements in them were extracted from air and water by solar-powered photosynthesis some 350 million years ago.

Right now it is cheaper to use this prehistoric solar energy rather than try to find different forms of energy. But as the supply of high-grade fossil fuels are expended, the cost of finding and extracting what remains will rise.

High fuel costs are what got to Basile and being a man of action, he decided he knew exactly what to do. After reading so much about solar homes, or homes that "use solar dynamics, which is the use of the solar sun," he resolved that when he built a home for his family in Dedham he would apply this method.

In order to use solar energy to assist building on Demetra Terrace, in his backyard, Basile will install a plug-in solar furnace.

This small A-frame structure will be as big as a tool shed and will pipe heat into Basile's house drastically reducing his fuel bills.

Basile says the auxiliary heating system "will hold a three day use of heat." Synchronized with his regular home furnace at all times, it will supply heat, when available, from the shed. He figures that in "three years the unit will pay for itself." The cost of the unit is roughly \$3,000. The shed may be a practical answer to energy costs.

An additional cost will be extra insulation. While fossil fuels usually reach high operating temperatures quickly, buildings are built to allow heat to escape through walls, doors and large expanses of glass. Indoor climate comfort is achieved through a high expenditure of energy.

Solar energy, however, is a low intensity type of energy which is captured, stored and utilized at much lower temperatures. For maximum efficiency, the heat must be held in the living space as long as possible. Thus, extra insulation is needed.

Basile plans to insulate his new home with six inch insulation in the walls and 12 inches in the ceiling. Today, most insulation, he said, would be four inches and six inches thick.

He estimates his additional cost for the extra insulation will be about \$200. A small investment for Basile forecasts the solar unit will save him up to 60 per cent of his fuel bill.

The unit gets placed in an open, unshaded area with a Southern exposure. A solar collector panel is placed on the south side of the house at a 60 degree angle facing the sun. Faced with a double wall of glass, the panel will trap the solar heat and store it inside the A-frame shed.

"Instead of using water for storage of the solar heat," explained Basile, "it will use stone and air." To prove that rock is a good medium for storage of heat an article in Popular Mechanics in February, 1975 suggested the following experiment.

"Take a pint of water and a one pound rock and heat them in an oven to 180 degrees F. Take them out, wait an hour and you find the water cold and the rock still hot" because it gives up heat slowly.

There are two fans in the unit; one creates a high pressure air stream that "washes" the heat from the collector cups and carries it to the storage area. The second fan moves "heat from the storage chamber to the plenum chamber of the house furnace." The air system doesn't require anti-freeze and the air duct "plumbing", according to the article in Popular Mechanics, is "cheap."

A thermo-switch, Basile says, "pushes the heat into the house." He added that the unit "can be added to any hot air system . . . it is only good for forced air, not forced hot water."

To maintain the unit, the fan belts must be checked, the blower motors oiled and the cold air return filters changed three times a year.

The unit, he said, "works during snow, which acts as a reflector, and during smog." He knows of only one other unit in this part of the country and that is in Beverly, Mass. Basile pointed out that the solar unit "is untested in the Northeast."

"We can only go by statistics of weather charts and estimate what it will do." Exactly how much heat the solar auxiliary unit will supply for Basile will depend on the average of sunny days we have next winter. He hopes to have his house built by the fall and be using solar heat next winter.

If his experiment is successful, Basile hopes to become the local distributor for the unit. He predicts that eventually the unit will be selling for around \$2,000 since already manufacturing costs have dropped 25 percent. Basile is a construction consultant who is self-employed and works for insurance companies and banks.

The other advantage of solar heat is that there is no pollution. Basile maintains that he is not an environmentalist. He says that "construction and conservation are diametrically opposed."

It's obvious he does believe in planning. If he is successful in reducing his fuel bills,

other homeowners may follow his example for most of them are looking for relief also.

#### SAVE THE WHALES ACT

### HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. BELL. Mr. Speaker, on Tuesday I introduced House Joint Resolution 955, the "Save the Whales Act." The time has come to put direct pressure on the international whaling industry to halt the terrible slaughter that has driven species after species of the great whales to the brink of extinction.

The plight of the great whales was described in a statement I submitted to the Subcommittee on Fisheries and Wildlife Conservation and the Environment on April 30, 1976, when a hearing was held on House Joint Resolution 923, an earlier version of House Joint Resolution 955.

The complete text of the statement follows:

STATEMENT OF CONGRESSMAN

ALPHONZO BELL

A year ago when the first hearing was held to consider legislation to bring an end to commercial whaling, I warned that we were in a race with time to save the great whales from extinction. We still face the ultimate question: will the whales survive as a vital part of our ecosystem, or will they be exterminated by the ruthless whaling industry?

There should be no illusions about the whaling industry. The economics of whaling are the economics of extinction. Left to hunt down the whales without any interference, as they have done for the past century, the whalers will surely wipe out every whale they can find, squeezing the last yen and ruble from the sea.

If we are to stop this terrible slaughter, then we must consider direct political and economic pressure on the foreign whaling enterprises and their governments. House Joint Resolution 923, which I introduced on 26 April, would halt the sale or transfer of surplus whaling vessels and halt the totally unregulated whale killing by several nations.

The international whaling industry is slowly dying. Pressure from the Save-the-Whales movement has helped. But the largest factor is quite simply the disappearance of the great whales. These marine mammals once populated the oceans by the millions. Now only a handful of the largest and most profitable species survive. The scale of slaughter this century is truly appalling.

Consider the case of the blue whales. In the 1920's and early 1930's, more than 15,000 blue whales were killed each year. In the year 1931 alone, more than 30,000 of these greatest of all creatures were harpooned. Today, only a few hundred survive, so spread across the seven seas that many scientists fear they may never regenerate.

The decimation of the blue whales is not unique. The whalers turned their harpoons on the other large species, the fin, sei, humpback and right whales, and have driven all of them to the brink of commercial extinction, one short step from biological extinction.

The declining whale populations have forced Japan and the Soviet Union to stead-

ily reduce their pelagic whaling operations. Japan has mothballed one of its four fleets in recent months. The Soviets also dropped one of their three fleets. Japan now has just three factory ships and 20 catcher boats in operation. This is almost a 50% reduction in fleet size in the past year. While this is good news, a new danger has arisen: the sale or transfer of the surplus vessels to other nations.

The history of whaling has seen whaling vessels traded from nation to nation as populations of whales were wiped out. The present Japanese and Soviet fleets are largely made up of the ships of the defunct British and Norwegian whaling fleets.

We cannot allow whaling to spread to other nations through these surplus vessels. H.J. Res. 923 would embargo the products of any whaling enterprise that sells or transfers surplus whaling vessels or equipment to any other nation. Since all these vessels are very old and in disrepair, there would be little or no economic loss in converting the vessels to other uses or scrapping them.

In the past year, the International Whaling Commission has finally heeded the warnings of the scientists and enacted tighter regulations aimed at saving the most endangered whale species from the fate of the blue whale. If the IWC continues to heed the scientists, then it will for the first time be serving the public interest rather than the interest of the whalers.

The IWC currently allows the killing of some 30,000 fin, sei, sperm and minke whales. Eight of the 15 IWC member nations still engage in whaling.

But there are seven nations that are not members of the IWC and permit whaling without any regulation. These countries are Peru, Chile, South Korea, Mainland China, Spain, Portugal, and Somalia. More than 4,000 whales are killed by companies in these countries, including many undersize whales and critically-endangered species such as blue whales, humpback whales and right whales.

H.J. Res. 923 calls for the embargo of the products of these unregulated, non-IWC enterprises. This legislation will force these countries to join the IWC and abide by the IWC quotas.

Let me say here that the objective of this legislation is not merely to reduce whaling. The only solution to the problem is a ten-year moratorium on whaling. All the whaling nations have ignored the appeal of Congress and unanimous votes in the United Nations for such a ten-year moratorium. H.J. Res. 923 is a step in that direction.

We must continue pressure on the major whaling nations, Japan and the Soviet Union. Each accounts for more than 40% of the IWC quota.

Japan, in particular, is guilty of promoting the reckless, unregulated slaughter of endangered whales. The largest non-IWC whaling operation is in Peru, where Compania Ballenera del Kinkal is 85%-owned by the Japanese whaling company Nippon Hogel. Kinkal kills more than 1,800 whales each year and according to a Peruvian government inspector, nearly half are undersize and, humpback and other rare species are harpooned. The whale meat is packaged by a company controlled by the giant Mitsubishi Corp., Taiyo Fishery Co., the world's largest fishing company, and Nippon Hogel. More than 2,500 tons of this non-IWC whale meat is shipped to Japan each year.

Likewise, in Chile the Japanese support a whaling industry that kills more than 250 whales each year without regulation. There are recent reports that Taiyo Fishery Co. is negotiating with a Chilean concern, Macaya

Hermanos de Chome, to resume large-scale whaling operations. In the early 1960's, Japanese whalers wiped out the last large blue whale population in the world. When Japan called a halt to killing the blue whales, the Japanese whalers set up the Chilean operation. More than 600 blue whales were killed and exported to Japan.

The most blatant example of Japanese disregard for whale conservation measures is the rogue pirate whaling operation out of Somalia. Four Japanese meat merchants are aboard the "Sierra," a factory-catcher ship that roams the west coast of Africa decimating the endangered sei and right whale populations. More than 500 whales are killed by the "Sierra" each year. The Japanese meat merchants select the best cuts from the whales. The meat is frozen, stamped "Product of Spain," and shipped to Japan. The rest of the whales, including most of the meat, is dumped in the ocean.

Considering the fact that the IWC forbids the killing of sei and humpback whales in the Atlantic Ocean, how can Japan support this enterprise?

Last August, Prime Minister Miki of Japan visited Washington and stated:

"I am well aware of the need for preservation of the whales as a mammal, and therefore we are going to abide by any responsible scientific research findings.

"I am happy to report to you that the Japanese government is going to abide by, without any reservations, the conclusions reached by the International Whaling Commission, irrespective of what other countries may choose to do or not to do."

I must now ask if the Japanese government has changed its mind. The actions of the Japanese whaling industry in supporting outlaw whaling operations around the world make a mockery of Prime Minister Miki's declaration.

## FREE ADS FOR TEENAGERS

### HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. RHODES. Mr. Speaker, there is much discussion in Congress today about jobs. I would like to call to the attention of my colleagues an effective public service program initiated by Jonathan Marshall, publisher of the Scottsdale Daily Progress.

For the past 6 years he has offered teenagers free classified ads to seek summer employment. The ads run free of charge for 3 days, and have helped both employers who need extra help during the summer months, and those who want to work.

This is an example of local effort being made to bring jobs and prospective employees together. I congratulate Jonathan Marshall for an ingenious and practical plan, an effective donation to better the Scottsdale community and to provide opportunity for young men and women. I am hopeful that other community-minded publishers around the country will emulate this worthwhile, workable idea to further teenage employment.

## NATIONAL SCIENCE FOUNDATION AWARDS

### HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. TEAGUE. Mr. Speaker, the exchange of scientific and technical knowledge among nations can be one of the most valuable contributions to the advancement of world peace. The National Science Foundation's program of Scientists and Engineers in Economic Development has recently made awards to 24 U.S. scientists and engineers in Africa, Asia, and Latin America in ways that will aid the economic development of these countries. In my opinion the potential benefits of this small program may be far greater than one might expect from its dollar costs.

I would like to take this opportunity to insert in the RECORD the press release of April 30 which accompanied the National Science Foundation's announcement of these awards:

#### NSF GRANTS TO HELP COUNTRIES DEVELOP ENERGY, FOOD, NATURAL RESOURCES

A study of energy sources in Pakistan; child nutrition and family planning attitudes in Kenya; forest insect pests in Chile; and the natural resources of the Amazon basin are among topics to be studied and advised upon by U.S. scientists and engineers awarded grants today by the National Science Foundation (NSF).

The awards were made to 24 scientists and engineers from U.S. colleges and universities under a program funded by the Office of Science and Technology of the Agency for International Development (AID). These academic professionals will spend up to a year teaching and conducting research in agriculture, engineering, biology, forestry, and other fields in 13 countries in Africa, Asia, and Latin America.

The scientists have been invited by universities and technical institutions in developing countries to share their knowledge and experience in fields important to the economic development of the host countries. The grants are administered under NSF's SEED program (Scientists and Engineers in Economic Development), now in its sixth year in NSF's Division of International Programs.

Ideas for these projects come in part from the host countries and in part from interested experts. One professor from the University of California at Davis will spend a sabbatical year at the University of the Philippines to collaborate on research on tropical fruits. A Clark University professor will help investigate and establish criteria on Nigerian water supplies and soil conditions for agricultural purposes. Another professor from Shippensburg State College in Pennsylvania will assist in the operation of Bogota's cobalt-60 gamma source and conduct courses and seminars on applications of activation analysis to agricultural and mineral prospecting problems. Not only do the participants work on projects to benefit the host country, they also help establish relationships between the U.S. and foreign institutions.

Of the 24 NSF awards this year, 15 are research-teaching grants that will permit scientists and engineers to spend five months to a year at academic institutions in developing countries. Nine are international travel grants awarded by NSF to scientists and en-



gineers for shorter visits to conduct seminars, give lectures, review specific research projects, and survey educational developments.

The total amount of these awards is \$269,000. Institutions in the developing countries as well as U.S. institutions are contributing financially to the projects.

The 13 countries participating in the 1976 SEED program are—Africa: Egypt, Ghana, Kenya, and Nigeria; Asia—Korea, Pakistan, and Philippines; Latin America—Bolivia, Chile, Colombia, Ecuador, El Salvador, and Trinidad-Tobago.

## PROPOSED NEW JOB BILL CALLED HOAX

**HON. MARJORIE S. HOLT**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mrs. HOLT. Mr. Speaker, there has been much discussion of the proposed legislation known as the Full Employment and Balanced Growth Act of 1976, also called the Humphrey-Hawkins Act. I understand we may soon have the opportunity to vote on that subject.

For the information of the House, I am submitting an excellent analysis of the legislation which appeared May 17 in the Baltimore News-American. It is a very perceptive article, Mr. Speaker, and I hope that the Members of this House will read it.

As we deal with the unemployment problem, we should all recognize that the enormous and excessive cost of government, and its obsession with regulating everything, are the greatest barriers to healthy economic growth and the creation of jobs.

This problem will not be solved by the creation of millions of nonessential government jobs, which would surely prevent creation of jobs in the private sector. Government jobs do not produce real wealth, which is the foundation of economic growth. Government jobs prevent the use of financial resources for creation of jobs in the private, productive sector of the economy.

In this House there are many cosponsors of the Jobs Creation Act authored by Representative JACK KEMP, and I count myself among them. This would provide the necessary tax incentives for the expansion of productive industry and the creation of jobs. I urge this House and the appropriate committee to address themselves to the task of enacting this extremely important and beneficial legislation. The Congress must also deal with the problem of excessive Government regulation which is imposing a terrible burden on private industry.

I recommend the following article for your attention:

### PROPOSED NEW JOB BILL CALLED HOAX

(By Donald I. Rogers)

New York.—Anyone who is unemployed will soon learn to view the 94th (current) Congress with loathing. Jobless Americans, looking for something—anything—to do to bring in some income, may one day remember cynically the authors of the phoniest and perhaps the cruelest bill to be introduced in behalf of those who urgently need help.

The authors are Sen. Hubert H. Humphrey, D-Minn. and Rep. Augustus F. Hawkins, D-Calif.

The preposterous Humphrey-Hawkins bill is called euphemistically, the "Full Employment and Balanced Growth Act of 1976."

It is phony because it can't possibly work, and, unless a majority of members of this ill-begotten Congress are candidates for the feather-farm, it is destined to be defeated.

It is cruel because it promises hope to those who really need jobs, and none can really be pledged under the proposed legislation.

These two fellows, tendering their bill for consideration by the lawmakers, claim it will result in a mere 3 per cent unemployment rate within four years. (We have reached that unemployment level only once since 1948, the year Mr. Humphrey attained his seat in the Senate.)

There are, according to the latest figures, 7,027,000 unemployed Americans, which is 7.5 per cent of the "job market," meaning the total number of persons who want jobs. That is too high, of course. A fraction of 1 per cent is too high.

Yet there are 86.7 million Americans gainfully employed, according to the same set of statistics, and that is the highest total in the nation's history.

If they teach the rudiments of economics in high school these days—which is open to question—no freshman would come up with the "solutions" to unemployment rendered by Messrs. Humphrey and Hawkins.

In a nutshell, these two solons would have the government create a titanic and cumbersome bureaucracy (in fact, several bureaucracies) to employ every available unemployed person in the country.

It would, in effect, do away with all welfare programs, but at much greater cost to those who hold real jobs.

Among other things, it would require the President to report to Congress every six months on a "full employment and production program, both long and short range."

The Chief Executive (and wouldn't it be ironic if that chief were Humphrey, himself?) would have to report on the "estimated volume of goods and services, both public and private, required to meet human and national needs."

This would, according to the bill, even include day care facilities and artistic and cultural activities.

A typical report might cite the need for four new syndicated columnists in this upcoming six-month period, 23 new hard rock bands, 417 new sculptures, and 21 fresh exhibits of antiques from Colonial New England. Plus one additional Barbara Walters.

It is possible, of course, that after 28 years in the senate Mr. Humphrey still believes that one can enact a law requiring full employment that is stable and permanent. If he truly believes that, however, should open other avenues of concern.

Can he, and Rep. Hawkins, honestly believe that such a full employment program can be achieved without either ruinous inflation or, alternatively, an absolute, iron-clad wage-and-price freeze?

Any economist who can operate a pocket calculator can estimate that such a program, even if run on modified terms, would cause about 15 per cent inflation unless accompanied by an absolute freeze on both wages and prices.

Revealing the kind of World War II thinking that motivates the authors of this bill, they have provided for price controls but not for wage controls.

Does one go without the other? Can any citizen forget the disastrous consequences of Mr. Nixon's fumbling attempt at price controls four years ago?

This bill, known as H.R. 50, is receiving serious consideration in the House, so it is

worthy of your consideration before it goes much farther.

Behind it is its real architect, a man named Leon Keyserling, who was chief economic advisor under President Truman.

Mr. Keyserling, an untamed Keynesian theorist who avidly believes in central government planning and insists that "pump priming" through huge government expenditures is the only way to cure a recession, is noted for his analysis of unemployment during the final days of the Depression.

He firmly believes that it was "central planning" in Washington that reduced unemployment from 17 per cent of the work force in 1939 to 1 per cent in 1944.

No one got around to telling him that the "central planning" resulted in the drafting of nearly 15 million people into uniform, or that more than half of the Gross National Product was in war production, paid for by the taxpayers.

It gave us the greatest jump in inflation in the nation's recorded history, soon as the wartime wage-price controls were lifted.

## STATEMENT OF THE HONORABLE BELLA S. ABZUG ON DEEP SEA MINING LEGISLATION HEARINGS AND THE LAW OF THE SEA CONFERENCE

**HON. BELLA S. ABZUG**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Ms. ABZUG. Mr. Speaker, the House Subcommittee on Mines and Mining, and the Senate Armed Services, Commerce and Foreign Relations Committees have together held 4 days of hearings this week on deep ocean mining. Testimony has been given on legislation concerning the regulation and licensing of U.S. corporations wishing to mine the deep seabed.

In my record statement of May 7, 1976, I noted that progress had been made at the United Nations Conference on the Law of the Sea which recently ended its fourth session in New York. The U.N. Conference will hold its next session beginning August 2, 1976. At this time, it seems that Congress will not consider any unilateral action to guarantee mining rights in the international seabed area until after the U.N. Conference has met in August. I view this as a constructive trend since such legislation would be harmful to these international negotiations.

Testimony was given by Ambassador at Large T. Vincent Learson, the special American representative to the Law of the Sea Conference. Ambassador Learson explained that the administration opposed enactment of either S. 713 or H.R. 11879, the two current versions of legislation concerning deep seabed mining now being considered. The Departments of State, Interior, Commerce, and Treasury all oppose the passage of any legislation before the next session of the Law of the Sea Conference. There is a very clear reason for their opposition. Negotiations are currently at a very delicate stage. The other 155 nations attending the conference are looking to the United States to demonstrate its re-

straint and intention to complete a treaty soon. The eyes of the delegates to the Law of the Sea Conference are focused upon the U.S. Congress to determine whether we will take any action which affects the outcome of their proceedings.

Mr. Speaker, in a world of economic manipulation and transnational trade-offs it is of the utmost importance that the United States maintain its good faith.

Secretary of State Henry Kissinger may lead the U.S. delegation to the next session. This is encouraging and symbolizes the fact that we place a high priority on a fair and equitable treaty at the earliest possible date.

Mr. Speaker, I would oppose the passage of any deep-sea mining legislation before the U.N. Conference has completed its work. In opposing such legislation I do not wish to appear insensitive to the amount of time and money which deep ocean mining firms have invested in their ventures. The extraction of nodules from the deep seabed will be helpful for the American economy, and will begin to make the United States self-sufficient in cobalt, nickel, manganese, and copper. Nevertheless, it would be wrong for the U.S. Congress to guarantee seabed mining rights prior to the successful negotiation of an international treaty. I believe that we should look to an international solution of the seabed question. If that does not work, then there will be ample time to consider other remedies.

#### A SELLOUT OF OUR SYSTEM FOR POLITICAL PROFIT

### HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. PAUL. Mr. Speaker, as a physician recently elected to Congress, I speak with strong conviction against the budgetary proposal to sell out our private medical care system for political profit.

Because the promotion of so-called national health insurance is to be a top priority in a political platform certainly does not justify inclusion of startup costs in the congressional budget.

This foot-in-the-door budget tactic will backfire with many voters who are fed up with big Government and big bureaucracy. Such promotion of so-called national health insurance schemes will only build more anti-Washington sentiment throughout the country.

Small startup costs or scaled-down schemes would not fool many voters in this election. They know, for example, that catastrophic-care schemes would legalize much bureaucratic interference in medical care provided by all private doctors to all private patients.

Such bureaucratic interference would result, too, of course, from schemes to mandate private insurance coverage of all employees.

Clearly, those who understand these

far-reaching implications of including startup costs for socialized medicine in the congressional budget have a special responsibility to point out these implications in the campaign period ahead.

#### CONGRESSMAN WYDLER'S 1976 QUESTIONNAIRE RESULTS

### HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. WYDLER. Mr. Speaker, I am pleased to report that the residents of the "Fabulous Fifth" Congressional District have again enthusiastically responded to my annual questionnaire and opinion poll.

This annual survey has been held during each of the past 14 years I have served in the House, and again indicates that the American people really do care about their Government. This is especially inspiring during a year in which our great Nation is celebrating 200 years of independence and freedom.

It has been my practice to develop meaningful questions about key national and international issues which would have a direct impact on all Americans. These questions are then mailed to every household in the Fifth Congressional District and residents make their feelings

known by selecting answers in a multiple choice fashion.

After all tabulations are completed, the overall results of the opinion poll are of extreme value since they provide me with a very important personal insight into how residents of my district feel about key issues. This input is of direct assistance to me in development of stands and votes on specific matters.

The results of the 12-question opinion poll will also be forwarded to Fifth Congressional District residents, and specific questions and comments expressed by residents in a special area within the questionnaire are also being responded to on an individual, personal basis.

Of the 12 questions submitted this year, 3 generated a positive response in excess of 85 percent of those responding. The question dealing with capital punishment and whether this form of justice was favored for specific major crimes drew a positive response of 89.93 percent, the largest "yes" vote of any of the questions submitted. Continuation of CIA intelligence operations in foreign countries drew a favorable response of 86.48 percent, while the topic of forced busing found 85.06 percent of the responding residents favoring a constitutional amendment to forbid forced busing of elementary and high school children for purposes of racial integration. I have introduced such an amendment.

The complete results of my 1976 questionnaire and opinion poll are as follows:

#### RESULTS OF THE ANNUAL "FABULOUS FIFTH" QUESTIONNAIRE OF FIFTH CONGRESSIONAL DISTRICT, NASSAU COUNTY, N.Y.

[In percent]

	Yes	No	Undecided
1. The news media: Do you believe that the news you read, see and hear is generally accurate and fair?-----	40.34	48.69	10.97
2. Foreign food sales: Do you favor continued sales of surplus American foodstuffs and grain abroad to countries including the Soviet Union?-----	45.94	47.06	7.00
3. Firearms registration: Do you feel that registration of all firearms is the answer to lowering crime rates within our nation?-----	48.69	46.49	4.82
4. Capital punishment: Would you favor capital punishment for specific major crimes?-----	89.93	6.92	3.15
5. Welfare: Do you feel that the Federal government should completely administer and fund current local welfare programs?-----	67.70	23.05	9.25
6. American economics: Do you personally have confidence that the American economic system has the ability to produce prosperity?-----	79.01	10.43	10.56
7. Military strength: Do you feel that the United States should maintain a military strength greater than the Soviet Union?-----	78.66	13.09	8.25
8. Military allied aid: Do you think the United States should send military aid to nations fighting Communist aggression without our becoming directly involved?-----	60.68	26.68	12.64
9. Forced busing: Do you favor a constitutional amendment which would forbid forced busing of elementary and high school children for purposes of racial integration?-----	85.06	12.31	2.63
10. Strikes: Would you favor granting the right to strike to public employees?-----	19.09	73.99	6.92
11. Intelligence operations: Do you favor continuation of CIA intelligence operations in foreign countries?-----	86.48	6.19	7.33
12. Energy consumption: Until the United States can become self-sustaining in the energy field, which one action do you favor?			
(a) Rationing of gas and oil by the government?-----	(a)	(b)	(c)
(b) Increased taxes on gasoline and oil in order to discourage consumption?			
(c) A "windfall" profits tax on increased earnings of oil companies unless such earnings are used for new oil and gas production?-----	15.70	5.92	78.38



# THE BALANCE(S) OF POWER: III(1) STRATEGIC OFFENSIVE BALANCE

## HON. JOHN BRECKINRIDGE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. BRECKINRIDGE. Mr. Speaker, as part of my series on the balance(s) of power, I wish to focus on counterforce as a key issue related to U.S. retaliatory strategy. Because counterforce is a complex and controversial question, I intend to insert three articles on the subject. The first, which follows, was written by John M. Collins, senior specialist in National Defense, Foreign Affairs Division, Congressional Research Service; it outlines some of the problems associated with counterforce. A second future article will present the case against counterforce. A third article will present the case for counterforce. I hope that the result will be an improved understanding, contributing to the continuing debate which lies ahead for the Atlantic community.

### The article follows:

#### "COUNTERFORCE" AND "COUNTERVALUE" DIFFERENTIATED CONCEPTS

In its broadest sense, the term "counterforce" embraces all means, active and passive, offensive and defensive, which could degrade the enemy's military capabilities. Antibalistic missiles, interceptor aircraft and fallout shelters are just as effective in that regard as ICBMs, submarine-launched ballistic missiles (SLBM) or long-range bombers. However, this paper is limited to the implications of offensive (or retaliatory) counterforce strategies and weapons.

By way of contrast, the term "counter-value" connotes active operations by offensive or retaliatory forces to destroy or degrade selected civilian population centers, industries, resources, and institutions which constitute the fabric of enemy society. No passive and few defensive features are evident.

#### HARDWARE

Where counterforce philosophies, theories, concepts and strategies are easily differentiated from countervalue, corresponding weapons systems are often difficult to distinguish.

Most nuclear delivery systems have a counterforce capability against some military targets, but not against others, depending on two complex variables:

1. Target vulnerability (a function of hardening, mobility, dispersion, enemy alert status and active defenses).
2. Weapons capabilities (a function of numbers, range, accuracy, yields, and penetration probabilities).

Some (but not all) counterforce bombs and warheads, for example, would be effective against concrete missile silos. They could also destroy cities. Countervalue weapons, expressly engineered to engage "soft" targets, generally lack the requisite yields and accuracy to serve a similar dual purpose function. However, they could devastate poorly protected military installations and might root out some hard sites successfully, provided sufficient numbers were committed per target to produce a cumulative destructive effect . . .

No country currently has a reliable counterforce capability against ballistic missile submarines submerged at sea, owing primarily to target acquisition deficiencies . . .

#### CURRENT U.S. COUNTERFORCE CAPABILITIES

Few observers recognize that the United States retained a very respectable capability against many military targets throughout the Johnson-McNamara period, and continues to do so today. Although none of our delivery systems was expressly designed for that purpose, every nuclear instrument now in the U.S. inventory could successfully engage all or most of the following type point and area "soft" targets:

- Bombers and their bases
  - ICBMs not in silos
  - Ballistic (or cruise) missile submarines in port
  - Ballistic (or cruise) missile surface craft at sea or in port
  - Exposed antiballistic missile (ABM) installations
  - Exposed air defense installations
  - Exposed command and control centers
  - Exposed communications facilities
  - Exposed nuclear stockpiles
- Only in three categories is the United States counterforce arsenal largely impotent: Hardened facilities, including missile silos; Ballistic (or cruise) missile submarines submerged at sea; Mobile ICBMs.

U.S. ballistic missiles lack the requisite combinations of yield and accuracy for "a hard target kill capability." . . . TITAN II has a warhead in the multimegaton range, but is most suitable for broad, area targets. POSEIDON, with its many small MIRVs (Multiple Independently Targeted Reentry Vehicles), was specifically developed to penetrate a sophisticated Soviet ABM defense. MINUTEMAN also mounts a relatively small warhead. Its MIRVed version, like POSEIDON, was designed to increase soft-target coverage and to hedge against possible improvements in Moscow's missile defenses. Our B-52 and FB-111 bombers possess the imperative destructive power, but are not sufficiently responsive to pose a credible threat against hardened enemy missiles, which could be launched long before they arrive. Our principal methods of neutralizing hard sites, therefore, are presently limited to target saturation, which relies on several weapons per target to produce the desired probability of damage. . . . [That ploy has] significant disadvantages for any state with a second strike strategy, since [it] demands large numbers of survivable missiles.

Target acquisition difficulties plague U.S. efforts to cope with the problem of ballistic missile submarines at sea, which virtually defy reliable detection by existing antisubmarine warfare (ASW) devices.

#### THE CONTEMPORARY U.S. COUNTERFORCE CONTROVERSY

The contemporary U.S. counterforce controversy includes at least four premises which are dubious.

1. Only those counterforce capabilities related to hard targets are dangerously destabilizing.
2. The terms "counterforce" and "first strike" are synonymous.
3. First strike capabilities are intensely provocative.
4. Provocations inevitably encourage preventive or preemptive wars.

Such assumptions should be seriously challenged and, if warranted, modified or replaced.

#### THE HARD TARGET ISSUE

U.S. counterforce capabilities against soft targets have never been a serious public issue. They are accepted as a matter of course.

The Department of Defense is vigorously pursuing dual purpose ASW research and development programs. . . . These are aimed at technological triumphs that not only would better our ability to deal with Soviet attack submarines, but would also enable

the United States to locate, track and destroy ballistic missile submarines on station. The latter possibility has scarcely caused a ripple of adverse opinion, although the potential peril for the Soviet's most survivable strategic offensive arm is obvious.

Proposals to produce a hard target kill capability for MINUTEMAN and POSEIDON raise the only spectre, for reasons that are difficult to explain. The effects would upset the strategic balance no more than an ASW breakthrough, and probably somewhat less. The fact that hard target capabilities are a practical possibility now, while revolutionary ASW developments still seem remote, begs the issue. Either eventuality would diminish Moscow's posture for preventing or prosecuting general nuclear war.

This situation produces a dilemma. The United States must prosecute ASW programs if it hopes to guarantee future freedom of the seas for Free World shipping, but the question nevertheless arises whether it is strategically sound or budgetarily sensible to disapprove programs tied to hard target destroyers, yet approve potentially destabilizing R&D efforts in the ASW field. The answer is uncertain for two reasons:

1. The acquisition of unquestioned capabilities to destroy hard targets and enemy ballistic missile submarines would not necessarily create a credible first strike option for the United States.
2. Even if a credible first strike option were acquired, it would not necessarily be destabilizing.

Those contentions are elaborated in subsequent sections.

#### THE FIRST STRIKE ISSUE

The term "counterforce" is often erroneously construed to be identical with "first strike." The two are interrelated, but are by no means synonymous. Further, counterforce arsenals ample for a rational first strike under one set of conditions may be wholly inadequate under others. The United States now has an indisputable first strike capability against every nuclear power in the world, save the Soviet Union. Neither provocation nor instability are demonstrably present in these military relationships.

First strike strategies theoretically are conceivable in the absence of any counterforce capabilities. . . . However, such scripts call for exorbitant confidence by instigators in their ability to prevent undue escalation after the war starts—a psychological problem in the absence of counterforce weapons. Risk-to-gain ratios are unavoidably high. "Conservative" first strike concepts must be predicated on near certainty that effective retaliation could be physically precluded. Counterforce capabilities sufficient to atomize the enemy's nuclear delivery systems simultaneously therefore play the primary role.

Nevertheless, counterforce weapons may be present in many degrees without producing any probability that the possessor could execute a valid first strike. U.S. nuclear offensive arms, for example, currently pose a credible counterforce threat against Soviet bombers. If the United States had the means to smash hardened missile silos, it could compromise a second leg of the Soviet TRIAD. An ASW breakthrough could jeopardize the third. Yet those counterforce capabilities in combination would not constitute a first strike capability unless deliverable weapons in the proper mixture were deployed in sufficient numbers to eliminate effective enemy retribution.

How much would be enough depends on several variables, including desired degrees of destruction, target vulnerabilities, the nature of enemy defenses and penetration probabilities. All other things being equal, the requirement would be one offensive weapon per aiming point. However, in practice, multiple weapons might be mandatory to saturate a single target. Contrarily, one detona-

tion might neutralize several targets under other circumstances. Despite those disparities, the minimum number of offensive weapons needed can be estimated with considerable accuracy, even after taking into account aborts, misfires, and other denigrating factors. Anything less would fall short of producing first strike opportunities.

Scheduling difficulties further complicate the situation. Submarine-launched ballistic missiles, which presently have shorter ranges than ICBMs, must be triggered near enemy shores. Consequently, they have shorter flight times to their impact points. Should SLBMs and ICBMs be launched concurrently, enemy forces targeted by the former might be unable to react rapidly enough to avoid being hit, but those targeted by ICBMs would have time to retaliate. If ICBMs were launched early, to arrive simultaneously with SLBMs, the element of surprise would be lost. Hostile submarines at sea would be difficult to destroy simultaneously, even if we had a fool-proof detection system.

In sum, the problem of marshalling and applying first strike resources with any hope of unqualified success is incredibly complex.

#### THE PREEMPTION ISSUE

A fundamental national security policy of the United States . . . Still is to limit the "numbers, characteristics, and deployments of our forces [to those] which the Soviet Union cannot reasonably interpret as being intended to threaten a disarming attack." That policy, translated into one of four Department of Defense planning criteria for nuclear sufficiency, prohibits "providing [any] incentive for the Soviet Union to strike the United States first in a crisis."

How best to satisfy that policy and the resultant planning criterion is subject to speculation. Counterforce concepts and weaponry are commonly considered more unsettling than countervalue, since they have a first strike connotation (partly unjustified, as discussed above). However, the precise influence of counterforce capabilities on the opposition's proclivity to launch preventive or preemptive wars is far from clearcut. The type, intensity and surrounding circumstances all are important. Representative considerations are: enemy national security interests, objectives and policies; national character and prevailing attitudes; the personalities of enemy leaders, plus their past practices. Not even the reemergence of a credible U.S. first strike option would produce predictable responses by potential opponents, nor would the reactions of one opponent perforce parallel the others.

Preventive and preemptive wars both are instigated deliberately, for prudential reasons—national decisionmakers believe that war now is preferable to war later. The differences deal mainly with degrees of premeditation. Preventive wars result from long-range planning. They are provoked at times and places of the user's choosing. Preemptive wars are triggered on the spur of the moment, to attenuate the effects of imminent enemy attack. The motivations for either enterprise could be multifarious. Herman Kahn listed four basic reasons in his book "On Escalation: Metaphors and Scenarios."

1. To blunt or prevent an attack.
2. To prevent the destruction of armed forces.
3. To preserve the national society.
4. To improve intrawar bargaining positions.

Counterforce capabilities presently enjoyed by the United States and Soviet Union have not been sufficient to provoke either country into perpetrating a preventive or preemptive war, even though the U.S.S.R. threatens our ICBMs with its SS-9 missiles (which have a hard target capability) and endangers our bombers with a burgeoning ballistic missile submarine fleet.

There is no convincing evidence that war would ensue spontaneously if either or both parties accrued impeccable first strike capabilities. On the contrary, General LeMay, reminiscing about the 1950s and early 1960s, reminds us that "nuclear war never occurred as long as [the United States was] actually setting on the alert with a counterforce posture," which then afforded first strike possibilities. The Soviets had considerable nuclear power at that time, but "they still never seemed particularly provoked by our counterforce strategy."

However, that situation could just as well have been reversed, as Kahn noted in "On Thermonuclear War."

"The easiest way in which one can put unintentional strains on the enemy is to have a force which looks 'trigger-happy' . . . This is an important reason for not relying solely on quick reaction as a protection [we endorsed a 'launch-on-warning' strategy in those days]. . . . Under some circumstances our vulnerability to a Russian first strike would both tempt the Russians to initiate a war and at the same time compel them, because they might feel that we would be tempted to preempt for our own protection. . . . They might find it impossible to believe that we were willing, in [any] crisis, to rely on their good will, morality, caution, or sense of responsibility. . . ."

Professor Thomas C. Schelling of Harvard pursued that subject further:

"A vulnerable military force is one that cannot wait, especially if it faces an enemy force that is vulnerable if the enemy waits . . . The outcome of the crisis depends simply on who first finds the suspense unbearable. If the leaders on either side think the leaders on the other are about to find it unbearable, their motive to throw the switch is intensified."

Schelling hastened to add, "there are two ways to confront the enemy with retaliatory forces that cannot be destroyed in a surprise attack. One is to prevent surprise; the other is to prevent their destruction even in event of surprise." Unfortunately, defense against nuclear attack can be even more provocative and destabilizing than aggressive weaponry—an impervious shield, coupled with unpremeditated offensive assets, could constitute a credible first strike capability.

In sum, great ambiguity exists concerning which "numbers, characteristics and deployments" of U.S. nuclear weapons would be least likely to alarm the Kremlin or encourage "the Soviet Union to strike the United States first in a crisis." Inadequate counterforce capabilities could prove at least as dangerous as an excess. The proper balance is a matter of judgment. . . .

#### BASIC TRADEOFFS BETWEEN COUNTERFORCE AND COUNTERVALUE

Countervalue concepts and weapons seem to favor prewar stability. Counterforce capabilities seem to favor combatant's survivability should deterrence fail. However, as this short study suggests, things are not always what they seem. Caveats are commonplace. There is no way to tally up pluses on one side, minuses on the other, and arrive at meaningful conclusions. A single point might outweigh all the others. And since none of the implications can be quantified, assigning weights is a subjective matter.

#### CONCLUSIONS

1. Counterforce philosophies, theories, concepts and strategies are easily differentiated from countervalue. Corresponding weapons systems are difficult to distinguish.
2. The United States has always maintained mixed counterforce/countervalue capabilities, although the proportions have differed from period to period.
3. The United States currently has credible counterforce capabilities against all types of military targets, save ballistic missile submarines submerged at sea, sites extensively

hardened against the effects of nuclear blast, heat and radiation, and mobile ICBMs.

4. The precise influences exerted by counterforce and countervalue capabilities are ambiguous and subject to misconception. In particular:

- a. The capability to destroy hard targets may or may not be destabilizing.
- b. Counterforce capabilities may or may not create credible first strike options.
- c. First strike capabilities may or may not be provocative.
- d. Provocations may or may not encourage preventive or preemptive wars.

4. Realistic options available to U.S. nuclear deterrent strategists thus may be somewhat greater than is generally realized.

5. Additional options may prove particularly desirable in the future, as problems of nuclear deterrence and general war become increasingly multilateral rather than bilateral, in nature.

#### HAPPY BIRTHDAY, AMERICA

#### HON. CHALMERS P. WYLIE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. WYLIE. Mr. Speaker, Mr. David Wright, a senior at Dublin High School, Dublin, Ohio, and a constituent of mine, is the recipient of the annual U.S. Government award presented by the Dublin Area Women's Republican Club. I feel the essay which won Mr. Wright the award deserves public dissemination, particularly during this Bicentennial Year, and I recommend it to all as food for thought:

#### HAPPY BIRTHDAY, AMERICA. MY GIFT TO YOU IS . . .

(Written by David Wright)

Happy Birthday, America. My gift to you is threefold: my youth, my values and my dreams.

My youth will help our society in many ways. You are experiencing difficult times, and more difficult times may be on the way. Many new, fresh, changing ideas will be needed in political, educational, scientific fields—many others as well. Whatever my choice of career, with my young, energetic methods I will help to the best of my abilities for you to become a better and stronger nation.

My second gift to you is the values in which I believe very strongly. With my high moral standards I will try to set an example for all Americans to follow. I will keep my mind and body clean in order to follow through on what is right and to combat what is wrong. Another value which I have is honesty. People with whom I associate have faith in me and know that I will do what is best for you.

My last gift to you is the dreams I have of the "Perfect America." In these dreams I see that there shall still be a democratic government where our children will be able to receive an education at the school of their choice. I also see complete religious freedom remaining in our country. Our social problems such as crime, pollution and drugs will be met with courage. I dream that prejudice will become a thing of the past, and I will work toward that end. Negroes, Caucasians, Chinese and all the different ethnic groups will see each other as equals. To reach this goal of the "Perfect America" will be very difficult; but whatever I can do to reach it, I promise to do.

Happy birthday, America. You have done so much for me, and I am looking forward to doing my best for you.



# COLLECTIVE BARGAINING FOR DISTRICT OF COLUMBIA POLICE, FIREMEN, AND TEACHERS

**HON. THOMAS M. REES**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. REES. Mr. Speaker, I have introduced legislation to revise collective bargaining procedures for District of Columbia police, firemen, and teachers.

The problems that occurred following negotiations for police and firemen pay raises for fiscal year 1976 and fiscal year 1977 make clear that there were inadequacies in the bill Congress passed 2 years ago that established a uniform system of collective bargaining and compulsory arbitration.

The intent of the original legislation was to provide for negotiations that would be fair and equitable to all parties involved. The current dispute following the failure of the City Council to implement the settlement reached between the Mayor and the unions indicates that the intended results did not materialize.

H.R. 13873 insures that the City Council is apprised by the Mayor of developments in the labor negotiations as they occur and gives the Council the opportunity to make recommendations to the Mayor. If collective bargaining fails, and the dispute is sent to arbitration, the award granted by the board of arbitration is binding on the Mayor, the City Council, and the unions.

During the previous negotiations the Mayor and the unions could not agree that fringe benefits were negotiable items. H.R. 13873 clarifies that the annual study that becomes the basis of negotiations shall include large city and local area comparisons of both benefits and wages, and that both shall be considered labor-management issues:

## COMPARISON OF H.R. 13873 WITH CURRENT LAW

1. Annual study of pay may include other conditions of employment. (e.g., pensions).
2. Results of study form basis for consideration of pay levels only.
3. Mayor must recommend negotiated settlement to City Council.
4. City Council may accept or change settlement. Council's action becomes subject only to Mayor's veto.
5. If parties reach an impasse, they go to mediation.
6. No provision.
7. If mediation fails, parties to binding arbitration.
8. Arbitration award binding on the Mayor and the unions.
9. Procedures apply to police and firemen.

H.R. 13873

1. Annual study of pay must include other conditions of employment. (e.g., pensions).
2. Results of study form basis for consideration of pay and benefit levels.
3. Same.
4. City Council may accept or reject, but not change, settlement. Council gives the Mayor its recommendation which then becomes a labor-management issue.
5. If parties reach an impasse, they go to mediation with Council's recommendation.
6. If mediation fails, parties go to factfinding.

7. If factfinding fails, parties go to binding arbitration, again with Council's recommendation.

8. Arbitration award binding on the Mayor, Council, and the unions.

9. Procedures apply to police, firemen, and teachers. (Teacher negotiations are with the Board of Education.)

An impasse may occur if:

1. The Mayor and the unions fail to reach initial agreement by November 15 for the next fiscal year.

2. The Council rejects the negotiated agreement, and the Mayor and the unions either (1) fail to reach agreement on the Council recommendation or (2) the Mayor and the unions do not reopen negotiations within 10 days after receiving the Council's recommendation.

Only an award granted by the Board of Arbitration after the Council has given its recommendation is binding on the Council.

## CONGRESSIONAL PAY RAISE SUIT

**HON. LARRY PRESSLER**

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. PRESSLER. Mr. Speaker, yesterday I inserted into the RECORD an explanation of my current lawsuit which questions the constitutionality of automatic annual pay raises for Members of Congress without a vote. My objective is to insure a vote on future pay changes. My reading of the legislative history of our Constitution convinces me that a vote is required for adjusting congressional pay. I believe the example Congress sets in following the Constitution in this area is very important.

Mr. Speaker, for the benefit of those interested, I wish to insert two court notices which report on the progress of the suit:

### ATTACHMENT 1

[In the U.S. District Court for the District of Columbia, Civil Action No. 76-782]

LARRY PRESSLER, PLAINTIFF, v. WILLIAM E. SIMON, ET AL., DEFENDANTS,

### NOTICE

An application for a Three-Judge District Court has been made in this case. Plaintiff seeks to enjoin the enforcement, operation and execution of provisions of the Federal Salary Act of 1967 (2 U.S.C. §§ 351-361) and of the Executive Salary Cost-of-Living Adjustment Act (2 U.S.C. § 31, as amended) on the ground of their repugnance to Article I, Section 1 and Article I, Section 6, Clause 1 of the Constitution of the United States. The complaint does not raise frivolous issues. Therefore the undersigned District Court Judge requests the Chief Judge of the Circuit to convene a Three-Judge District Court under 28 U.S.C. § 2284.

GERHARD A. GESELL,  
U.S. District Judge.

MAY 10, 1976.

### ATTACHMENT 2

[U.S. Court of Appeals for the District of Columbia Circuit, Civil Action No. 76-782]

LARRY PRESSLER, PLAINTIFF, v. WILLIAM E. SIMON, ET AL., DEFENDANTS,

DESIGNATION OF JUDGES TO SERVE ON THREE-JUDGE DISTRICT COURT

The Honorable Gerhard A. Gesell, United States District Judge, having notified me that a complaint has been filed in the United

States District Court for the District of Columbia seeking to enjoin the enforcement, operation and execution of provisions of the Federal Salary Act of 1967 (2 U.S.C. §§ 351-361) and of the Executive Salary Cost-of-Living Adjustment Act (2 U.S.C. § 31, as amended) on the ground of their repugnance to Article I, Section 1 and Article I, Section 6, Clause 1 of the Constitution of the United States, it is

Ordered pursuant to Section 2284 of Title 28, United States Code, that The Honorable Carl McGowan, United States Circuit Judge, and the Honorable William B. Jones, Chief Judge, United States District Court, are hereby designated to serve with The Honorable Gerhard A. Gesell, United States District Judge, as members of the Court to hear and determine this action.

DAVID L. BAZELON,

Chief Judge for the District of Columbia Circuit.

MAY 13, 1976.

## DOCTOR BUCHWALD'S PHILOSOPHY

**HON. PAUL FINDLEY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. FINDLEY. Mr. Speaker, Art Buchwald, who sees in himself a back-row resemblance to Robert Redford, is known as a humorist whose syndicated columns maintain a delicate balance between finely honed sarcasm and lighthearted fun-poking.

On Monday the graduating class of Gallaudet College, the distinguished institution for the deaf, received goodly measures of this balance. Mr. Buchwald was the featured speaker at commencement exercises at the Shrine of the Immaculate Conception and received the honorary degree, doctor of humane letters.

From beneath the layers of humor in his remarks he emerged as a profound commentator and philosopher on the values of American society. After listening to Mr. Buchwald's remarks, it was clear to me that he deserved the honorary degree—whether his tennis backhand is improving or not.

And you deserve to read what he had to say. So you can visualize the commencement scene, I should mention that Mr. Buchwald donned a nicely-marceled white wig while speaking for George III. His remarks were translated, complete with Mr. Buchwald's finger-wagging, in deaf sign-language. Judging by merriment among the graduates, the translation was faithful.

Here is the text:

REMARKS BY ART BUCHWALD, GALLAUDET COLLEGE COMMENCEMENT CEREMONY, MAY 17, 1976

My fellow Americans: For those in the back who can't see me, I look exactly like Robert Redford.

I am honored that you would choose me as your speaker at this auspicious Gallaudet graduation of 90 men and 110 persons. You have the unique distinction of being graduated on the two hundredth anniversary of our country which makes you rather special. And because it is the two hundredth anniversary of the United States, I have chosen to give part of my speech as it might have

been presented to you in the year 1776. I shall speak to you not as a vile and vulgar rebel who is trying to destroy the harmony and well being of the colonies, but as a Tory loyal to His Most Gracious Majesty George III.

You must pretend that you are back in the Colonial age and I have been dispatched from New York to persuade you not to join the rabble advocating insurrection and, though I don't like to use the word, Treason.

My dear students and loyal subjects of His Most Gracious Majesty George III:

I am delighted to be here as His Majesty's representative on this great day when you have completed your requirements for a college degree. You are an elite class and His Majesty wants me to congratulate each and every one of you. He only regrets he can not be here today in person, but matters of state require him to remain in London. I know if he were here he would be pleased to see your shining faces and realize that Gallaudet has once again produced the type of student that England can be proud of.

I have come here from New York to assure you that no matter what you read in the newspapers, His Majesty has great concern for his children in the colonies and has no intention of allowing a few agitators in Boston or Philadelphia and, I regret to say, even Virginia, to disrupt the warm relationship you all enjoy with the mother country which, as you know, has the best interests of all of North America.

The radical eastern establishment press has given the impression that the treasonous elements under the traitor-soldier George Washington has achieved military victories. I assure you, my dear children, these reports have been exaggerated. His Majesty's forces are capable of putting down any insurrection that disreputable malcontents attempt in the false name of liberty and freedom against this sovereign land.

Who are these wretches who are fomenting revolution? I'll tell you who they are. John Hancock is nothing more than a renegade smuggler; Sam and John Adams are ambitious firebrands intent on poisoning the minds of the people; Patrick Henry is a publicity-seeking drunk; Thomas Jefferson is a stuttering fool who can hardly write his own name, and Benjamin Franklin is a dirty old man.

We have their names and we shall deal with them when the time comes. There are not enough gallows in America to hang the villains who have hoodwinked, inflamed and goaded the good people of this continent in their quest for power and wealth. These sanctified hypocrites, these damned fanatics, these ungrateful bastards will fail in their efforts to destroy what England has done to make the colonies the happy eden it is today.

My dear students, if you have any intention of joining up with the likes of these people, I advise you to remove it from your minds.

The British Redcoats, with the most modern arms known to mankind, are now on their way to restore law and order.

The Colonial Rebel Army has no guns, no uniforms, no pay and they are no match for the greatest imperial nation on earth. I am here to warn you today that you are not to be taken up with the hysterical cries of independence because George III has no intention of giving up what is rightfully his to a band of ragged beggars.

I implore you to think for one moment. How can the colonies survive without England? We are your best customers for trade. We are the only ones who can protect you from a Catholic France and a Papist Spain. You have all the benefits and joys of British subjects.

What can the radicals offer you? Can you eat their version of liberty? Can you sell

their idea of freedom? Can you trade in their cries for justice? These piddlers in politics are nothing more than rattlesnakes, poisonous serpents, writing and mouthing obscenities on church walls.

Nay, my children, beware of straying from the fold. You are educated men and women and you must leave here today resolved to serve His Majesty and the Church of England.

It would be a pity after you have filled your head with so much knowledge to have a Hessian soldier chop it off.

Please do not think I am threatening you. God knows that is not my intention. I am only trying to make you see the light. Do not listen to the knaves and fools who whisper sedition in your ear. Remember your glorious heritage. You are and always shall be Englishmen as long as Britannia rules the waves.

God bless you all and God bless His Majesty the King.

Now having gotten the Bicentennial out of the way, I would like to talk to you as the commencement speaker of 1976.

I have not come here today to bring you a message of doom. I have been studying the situation very closely, and I have come to the conclusion that the Class of 1976 is the luckiest class that ever graduated—and probably the last.

I have many messages to bring to you today. The first is that we, the older generation, have given you a perfect world and we don't want you to do anything to louse it up. You are the generation of Watergate and Kohoutek. You were raised on "Kojak" and "The Hollywood Squares." Walter Cronkite is your Godfather, and Nixon was your President. You flopped at streaking and you blew Earth Day and you've seen war live and in color on television, and your previous President said he was not a crook. Yet, I don't feel sorry for you. To quote what I told President Ford the other day, "We never promised you a rose garden."

The tendency today in this country is to wring our hands and say everything is rotten, but I don't feel this way. I am basically an optimist—otherwise I would never fly Allegheny Airlines. I don't know if this is the best of times or the worst of times, but I can assure you this: This is the only time you've got—and you can either sit on your expulsive-deleted or go out and pick a daisy.

We seem to be going through a period of nostalgia now and everyone somehow thinks yesterday was better than today. I personally don't believe it was. And I would advise you not to wait ten years from now before admitting today was great. If you're hung up on nostalgia, pretend today is yesterday and just go out and have one hell of a time. I have travelled across this great land of ours and I have heard the cries of despair. People ask, "What can we do to make things better?" Even today you are probably asking this question as you sit out there in rapt attention listening to my brilliant words.

Well, here are some of the things you can do right after graduation:

Throw a baseball to a little girl.  
Ask your teacher for his or her autograph.  
Take a shower with a friend.  
Ask your mother or father for a dance.  
Throw a kiss to a little old lady, and  
Take a walk in the woods with someone you love.

There's a lot to be done. And being an optimist, I believe that somewhere out there in the Class of 1976 is a scientist who will develop a flip top beer can that doesn't cut your finger, and I know there's someone out there who will be able to find a way of letting people go to sleep without taking Somnifex. And I am certain that one of you . . . one of you . . . will be able to find out how to have a happy marriage without taking Geritol.

I know you are all worried about jobs, but I can assure you that out of this class of two hundred members at least a hundred of you are going to find work. And I know who you are, but I'm not going to tell you.

You know, if you were looking for a name for this country right now, you'd have to call it "The Uptight Society." Everyone seems uptight about something. The white students want out of our system; the black students want in; the people are mad at the cops, and the priests aren't talking to the Cardinals. And I discovered doing the column the way I do that for every uptight person in this country, there's an uptight organization to back him up. And I discovered that the most uptight organization in this country right now is the National Rifle Association. Now, before you get to like me, I am for gun registration and it's very personal with me. My neighbor has a gun and he can't even water his lawn straight. But every time I do an article for gun registration, I get hundreds of letters all neatly typewritten telling me I'm trying to destroy the Constitution, and I discovered that everybody in this country who owns a gun also owns a typewriter. So my solution to the gun registration problem is to make everybody register their typewriter.

People are very uptight about computers and what they are doing to us. Now I always have had a great interest in computers, ever since I once tried to get out of the Book-of-the-Month Club. Now as you know, it is impossible to get out of the Book-of-the-Month Club and I kept sending them letters saying I didn't want their damned book and they kept sending me IBM cards billing me for the book. And finally I got so mad I bent, folded and mutilated the card and the next month I got a new card and it said, "If you do that once more, we will send you the entire Encyclopedia Britannica."

People are very uptight about the oil embargo and everybody blames someone else for our troubles in the Middle East. Well, I can tell you the real villains today. The organization that is responsible for all our troubles in the Middle East is the Harvard Business School. If they hadn't taught the sons of Arab sheikhs how to screw us, oil would not be three dollars a barrel, and if these same sons of sheikhs had gone to USC, they'd all be surfers now.

People are very uptight about students and where they're going and what they're up to. But I have a lot of faith in students and I go out on campuses and I speak to them and I know where they're going and what they are up to.

Not long ago I was at Gallaudet College and I was talking to a student who was majoring in English and we got to discussing Hamlet. And I said, "Suppose you were a Prince of Denmark and you came back from school to discover your uncle had murdered your father and married your mother and you fell in love with a beautiful girl named Ophelia and mistakenly murdered her father and then Ophelia went crazy and drowned in a brook. What would you do?" And he thought about it for a moment and then said, "I guess I'd go for my Master's degree."

On the 200th anniversary of the United States we all are trying to figure out what this country is and what we stand for. I have no idea what America is, but I think I know what it is not.

It is not a dictatorship run by either generals, juntas or commissars. It is not a country who puts its writers and politicians in jails and sanitariums when they are in opposition to the government.

It does not close down presses, nor does it control the radio and television stations that serve the people. It does not shut the churches and synagogues to people who wish to worship God in their own way. It does not make workers meet quotas for the state.

It does not forbid its citizens from travel-



ing abroad, nor from emigrating to another country if they wish.

It does not make its people carry identity cards.

It does not hold families as hostage.

It does not throw people in jail without charges or a hearing.

It does not try people by military tribunals.

The system is imperfect and there are people in this country constantly advocating forms of repression for the good of the state. But for two hundred years, thanks to a piece of paper written by some very wise men who had no idea what this country would be like in 1976, we have managed to survive as a democracy.

And so my final message to you today is no matter what you read in the newspapers or see on television, I assure you that we're all going to make it. For two centuries this country has muddled through one crisis after another and we have done it without changing our form of government. And it seems like centuries ago, but it is less than two years ago, that a President of the United States was forced to resign from office under the darkest of clouds and he was asked to leave the office because he lied to the American people. I was at the White House that night to hear his resignation speech. And what impressed me more than anything else was that while one leader of our country was resigning and another was taking his place, I did not see one tank or one helmeted soldier in the street and the only uniforms I saw that night were two motorcycle policemen who were directing traffic on Pennsylvania Avenue. Two hundred ten million people were able to change presidents overnight without one bayonet being unsheathed... and I believe that any country in the world that can still do that can't be all bad.

Now I could have said something very profound today, but you would have forgotten it in ten minutes. So I chose to give this kind of speech instead so that in twenty years from now when your children ask you what you did on graduation day, you can proudly say, "I laughed."

# ONE THOUSAND FIVE HUNDRED DEAD CUBANS BEING SHIPPED HOME FROM ANGOLA

**HON. LARRY McDONALD**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. McDONALD of Georgia. Mr. Speaker, resistance to Russia's Cuban mercenaries continues in Angola, and, evidently, the toll is rather high. The Sunday Telegraph, London, of May 16, 1976, reports that resistance is fierce. It would appear that the Soviet Union will fight to the last Cuban. The item follows:

ONE THOUSAND FIVE HUNDRED DEAD CUBANS BEING SHIPPED HOME FROM ANGOLA

Grim proof of the scale of the secret war still being waged in Angola lies in the hold of a refrigerated ship anchored off Pointe-Noire, the port of Congo Brazzaville.

It contains the corpses of some 1,500 Cuban soldiers killed during the past few weeks in actions against guerrilla groups. The bodies are presumably awaiting shipment back to Cuba for burial.

The high rate of casualties among the Cuban expeditionary force in Angola has led recently to some desertions from their ranks and it is these deserters who have provided some of the information about this forgotten campaign.

Despite the tightest of official news blackouts, this is one of the details which has

emerged about the determined resistance by anti-Communist guerrillas against the Soviet-backed regime of President Agostinho Neto.

Neto's M.P.L.A. movement was put into power by the 14,000 Cuban regular troops who fought on his side during the civil war. It is now clear that they have still got their work cut out trying to prop him up.

## DAILY BATTLES

The fiercest fighting is said to be taking place in the old Portuguese enclave of Cabinda which lives across the River Congo and to the north of Angola proper.

A force of 3,000 Cubans under the command of Commandant Pedale is doing daily battle with Cabindan nationalists.

The principal organized group among these nationalists is known as M.O.L.I.C.A., the movement for the Liberation of Cabinda. At no time since the Portuguese evacuation has the fighting been so heavy in the region which is mostly jungle.

Significantly, the movement is concentrating all its efforts against the Cuban "invaders" and is leaving forces of its indigenous rivals, the M.P.L.A. alone wherever possible.

## VILLAGERS' AID

The actions are said to be planned and carried out with some sophistication. Cabindan squads are systematically killing Cuban sentries guarding military or civilian installations in the area.

Cuban patrols are lured out from their garrisons by "incidents" deliberately staged upcountry and the task forces are then ambushed.

Though these guerrillas carry the main brunt of the fighting, they appear to be receiving wide-spread assistance from the population at large. This is shown by retaliation attacks carried out by Cuban forces on at least three villages.

Earlier this month, Commandant Pedale felt obliged to appeal to the civilian population of Cabinda to "give up the struggle."

## SAVIMBI RETURNS

There have also been reports of renewed guerrilla fighting at the other end of the country, in south-western Angola. There Mr. Savimbi, leader of the so-called U.N.I.T.A. forces—one of the anti-Communist armies vanquished in the civil war—has reappeared, and made his presence felt.

His raiders appear to be concentrating on harassing the Benguela railway, Angola's vital east-west link from the Atlantic into the heart of Africa.

All told, the picture suggests that the Kremlin's Cuban auxiliaries are having unexpected trouble in digesting their Angolan prey. This should act as a restraining factor on the Russians promoting other offensives in southern Africa, at least for the time being.

## RED CROSS CERTIFICATE OF MERIT

**HON. KEITH G. SEBELIUS**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. SEBELIUS. Mr. Speaker, the American National Red Cross has recently informed me of a meritorious action taken by one of my constituents that I would like to share with and commend to the attention of my colleagues.

Mr. Robert D. Ward, of Salina, Kans., has been named to receive the Red Cross Certificate of Merit, the highest award given by the Red Cross to a person for saving or sustaining a life.

On September 25 of last year, Robert Ward, trained in advanced first aid, witnessed a neighborhood teenage girl fall from her bicycle and strike her head on the pavement. He rushed to her side and began mouth-to-mouth resuscitation as well as other life supportive first-aid measures. Within minutes the child began to breathe. Without a doubt, the quick action by Robert Ward saved this young girl's life.

Mr. Speaker, I share the belief of the American National Red Cross that this action exemplifies the highest ideals of concern that one human being can show for another in distress.

## END THE FEDERAL ENERGY ADMINISTRATION

**HON. PATRICIA SCHROEDER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mrs. SCHROEDER. Mr. Speaker, in connection with our consideration of H.R. 12169, the bill reported by the House Interstate and Foreign Commerce Committee to extend the life of the Federal Energy Administration for 39 months, and the Schroeder-Fithian substitute to this bill which would abolish the FEA and transfer some of its functions to other Federal agencies and departments, some of our colleagues may be concerned as to the job disposition of the nearly 3,500 employees presently employed at the mushrooming FEA. While I am sure that we all would agree that the FEA should not be kept around as a public jobs program, it is important to note that in keeping with the temporary nature of the FEA when it was created the House Government Operations Committee added to the original FEA Act a proviso section 28 that employees transferred to FEA from other agencies when the FEA began would be guaranteed rights to rejoin these agencies when the FEA died. Thus, employees who would be eliminated by the Schroeder-Fithian substitute—those in the office of management and administration—either have rights to rejoin their former agencies, or, having joined the FEA after its creation, are on notice that their jobs, like the FEA, were temporary.

Last month, I asked FEA Administrator Zarb to compile the numbers of employees with reemployment rights as well as what programs the FEA was carrying on to notify such employees of these rights should the FEA die on June 30. Although Mr. Zarb, apparently confident that the FEA will be around after June 30, has thus far neglected to inform his employees of rights they might have, he did send me the figures. I believe they will be of interest to my colleagues:

## FEDERAL ENERGY ADMINISTRATION,

Washington, D.C., May 19, 1976.

HON. PATRICIA SCHROEDER,  
House of Representatives,  
Washington, D.C.

DEAR MRS. SCHROEDER: This is in further response to your April 12, 1976, request for information on employees with reemployment rights under Section 28 of the Federal Energy Administration Act. We found that

as of April 10, 1976, the latest date for which information could be obtained, 2,240 employees had Section 28 rights. On the same date, the Agency had 3,466 employees.

The information about the grade levels of these employees, at the Federal Energy Administration (FEA) and at the Agencies' from which they came, is provided in the enclosure to this letter.

Your fourth question concerns the steps we have taken to inform these employees of their rights under Section 28, in preparation for the expiration of FEA. Hearings on the extension of the Agency are in progress and, accordingly, no specific steps have yet been taken.

If you need further information, please contact Mr. Eugene H. Beach, Associate Assistant Administrator for Personnel Management, on 961-8335.

Sincerely,

FRANK G. ZARB,  
Administrator.

Enclosure.

DISTRIBUTION BY GRADE OF FEA EMPLOYEES WITH SEC. 28 RIGHTS

Grade level	Current grade	Grade prior to FEA/FEO	Grade prior to CLC energy division
Executive level.....	6	2	0
Experts and consultants.....	0	3	0
GS-18.....	0	0	0
GS-17.....	10	4	0
GS-16.....	28	10	0
GS-15.....	163	104	0
GS-14.....	211	174	0
GS-13.....	360	296	1
GS-12.....	340	319	1
GS-11.....	258	280	2
GS-10.....	6	11	0
GS-9.....	202	212	0
GS-8.....	77	52	0
GS-7.....	217	219	2
GS-6.....	108	132	1
GS-5.....	145	194	0
GS-4.....	86	139	0
GS-3.....	13	57	1
GS-2.....	1	18	0
GS-1.....	0	1	0
All other pay plans.....	9	13	1
Total.....	2,240	2,240	9

DOORMEN'S SOCIETY HOLDS ANNUAL KNIGHT'S NIGHT

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. FUQUA. Mr. Speaker, I know that my colleagues share the respect and admiration which I hold for the fine job performed each day by the doormen of the Capitol.

This outstanding group of employees has a well known organization, called the Doormen's Society, whose parties and receptions many of us have attended in the past. The president is Warren Jernigan, a hard working and dedicated individual whose diligence has been responsible to the success that the Doormen's Society now enjoys.

Last Tuesday evening, May 18, 1976, in the Cannon caucus room, the Doormen's Society of the House of Representatives honored two of our colleagues, Congressman THOMAS E. MORGAN and Representative CORINNE C. (LINDY) BOGGS as Man and Woman of the Year,

respectively at their annual Knight's Night festivities.

The distinguished chairman of the Committee on House Administration, Congressman WAYNE HAYS, presided as master of ceremonies.

Mr. Speaker, I understand that you preceded Mr. HAYS by introducing him to the assembly, and that your remarks were particularly warm and praiseworthy.

And although his schedule prevented his attendance, President Gerald Ford sent his best wishes via a telegram message delivered and read by one of his assistants, John Marsh.

The evening's ceremonies honored many hard working people on Capitol Hill, among which were John Chesney, Jr., named Doorman of the Year for the House floor, whose parents came from Clarksville, Pa., just for this special occasion. His companion Miss Michelle Manfredi, was also present.

I was pleased that Morris Allen was named Doorman of the Year for the House Gallery. We were especially glad that his daughter, Lula, traveled from Gainesville, Fla., for the presentations.

Mr. Speaker, in honor of the fine work that the doormen perform each day and in recognition of the men and women who were honored at the Knight's Night, I would like to insert the text of the information bulletin which was distributed in which the accomplishments of each of its honorees were included:

THE KNIGHT'S NIGHT, MAY 18, 1976

Hon. Wayne L. Hays, Master of Ceremonies, Democrat of Flushing, Ohio; born in Belmont County, Ohio; elected to the 81st Congress on November 2, 1948, re-elected to succeeding Congress; presently Chairman of the House Administration Committee; member of the Committee on International Relations and Chairman of the Sub-Committee on International Operations; Chairman of the Joint Committee on Printing, 1972-4 and 1976; member of the Joint Committee on Library.

Man of the Year: Hon. Thomas E. Morgan, born in Ellsworth, Pennsylvania; October 13, 1906; Member of the Foreign Affairs Committee, of the House of Representatives since May, 1946; named Acting Chairman of the Foreign Affairs Committee in January, 1959, and is presently serving in that capacity, serving the 26th District, Fredericktown, Pennsylvania. Has received the "Canadian Parliamentary Medallion", first U.S. Citizen to receive this award, and also has Honorary Doctor of Law Degree from Wayne State University, Detroit, Michigan.

Woman of the Year: Hon. Corinne C. (Lindy) Boggs, Democrat, of New Orleans, Louisiana; born at Brunswick Plantation, Louisiana; graduate of St. Joseph's Academy and of Sophie Newcomb College of Tulane University, New Orleans; past president of the Women's National Democratic Club, of the Democratic Congressional Wives Forum, and the Congressional Club; first woman elected to Congress from Louisiana; Banking and Currency Committee, House Administration Committee; majority member House of Representatives American Revolution Bicentennial Board.

INTRODUCTION OF HONORARY MEMBERS

Hon. Ray J. Madden, Democrat, of Gary, Indiana; elected to the 78th and each successive Congress; member of Rules Committee, 81st through 92nd Congress; elected Chairman of Rules Committee, 93rd and 94th Congress; First Vice Chairman of the National Democratic Congressional Committee.

Hon. Edward R. Roybal, Democrat, of Los Angeles, California; born in Albuquerque, New Mexico, February 10, 1916; elected to the 88th Congress, November 2, 1962; Chairman of the Sub-Committee on Housing and Consumer Interests; Vice Chairman of the Democratic National Committee and a member of the Democratic Advisory Council of Elected Officials; first National Chairman of the National Association of Latino Democratic Officials.

D. Thomas Iorio, born East Side New York; has been the Democratic Pair Clerk of the House of Representatives since February, 1945; September, 1968, awarded the Title of Cavaliere Ufficiale in the Order of Merit of Italy; 1974 awarded the Title of "Commendatore" in the Star of Solidarity of Italy, the highest civilian award given to a foreign national; Deputy Sheriff of King County, Brooklyn, New York.

DISTINGUISHED SERVICE AWARDS

Office of the Clerk: Benjamin J. Guthrie, Benjamin J. Guthrie, Assistant to the Clerk of the House of Representatives of Springfield, Virginia; born at Salisbury, Maryland; married Beatrice Louise Fitzpatrick; three children; Gail Marie, Laura Lynn, and Christopher Raymond; attended Maryland State Teachers College; veteran of World War II, served with Army Signal Corps, 1942-46; monotype keyboard operator, Government Printing Office, 1946-56; Assistant to the Clerk of the House from 1957.

Office of the Architect: C. M. Bates, Jr., Mr. C. M. Bates, Jr., Superintendent of House Office Buildings, Born September 9, 1922 in Dry Creek, Knott County, Kentucky, Married November 15, 1946 Sylvia Stalls, children Richard and Robert. 1942-present, staff Architect of the Capitol.

Office of the Postmaster: C. Elmo Boydston, Mr. C. Elmo Boydston, Assistant Postmaster, House of Representatives. Legal resident, Luther, Oklahoma. Born October 14, 1936. Married December 16, 1957 to Joyce E. Welch; children Stephanie and Yvonne and June Ellen. Elmo has served the House effectively and faithfully for than 20 years beginning as a Mail Clerk in 1958. In July of 1957, Elmo served as a Doorman, returning to his duties as Mail Clerk in August. From 1959 until 1963, Elmo held the position of Superintendent of the House Post Office, advancing to Assistant Postmaster in 1963.

Congressional Correspondent Award: Neil MacNeil, since 1949, a Washington correspondent; 1958 to the present Chief Congressional Correspondent for Time magazine; author of Forge of Democracy: The House of Representatives; regular panelist on the Educational Television Network's award-winning program, "Washington Week in Review"; member National Press Club, The Players, and the executive committee of the Congressional Periodical Press Gallery.

Doorman of the Year (House Gallery): Morris (Moe) Allen of Gainesville, Florida has been a doorman since 1973. Born in Houston (Live Oak), Florida, Moe graduated from Richardson Academy in Lake City and was House Manager for the University of Florida's Sigma Alpha Epsilon Fraternity from 1935 to 1971. He is a member of Greater Bethel AME Church in Gainesville and Evergreen United Methodist Church in Washington. Sponsored by Honorable Don Fuqua, Moe is a Brother in the SAE Fraternity at the University of Florida and has a daughter, Lula, teaching in Gainesville.

Doorman of the Year (House Floor): John Chesney, Jr., began work as a House of Representatives Doorman in January, 1975, sponsored by Congressman Thomas E. "Doc" Morgan, Representative of Pennsylvania's 22d Congressional District. Born in Waynesburg, Pennsylvania, June 25, 1952, son of John and Lora Chesney, who presently reside in Clarksville, Pennsylvania; graduated from Jeffer-



son-Morgan Junior-Senior High School, Jefferson, Pennsylvania, 1970. Lettered in Football and Basketball and participated in student government as Vice-President of Junior Class and as a representative to the Student Council in the Senior Class; graduated from California State College, California, Pennsylvania 1974, with a Bachelor of Science Degree in Education, and achieved honors for four trimesters.

Police Officer of the Year: Officer Ronald J. Perla, born in Youngstown, Ohio, July 1, 1934; has served as a Deputy Sheriff with Mahoning County Sheriff's Dept., Youngstown, Ohio; locomotive fireman for Erie Lackawanna Railroad Co., Youngstown, Ohio; Liquor Control Investigator II for the State of Ohio, Department of Liquor Control, Columbus, Ohio; Police Officer for Metropolitan Police Department, Washington, D.C.; 1971 to present, Officer with U.S. Capitol Police Force.

### THE CORPS' GREATEST BATTLE

#### HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. BOB WILSON. Mr. Speaker, I recently received a copy of an essay written from the heart of a proud marine serving in my district at the Marine Recruit Depot. He is GY/Sgt. Terry W. Stewart, and I include his message as a portion of my remarks:

#### THE CORPS' GREATEST BATTLE

The breakfast came early; steak and eggs, all you could eat, and prepared just the way you wanted them. But men weren't eating. There was an unnerving quiet on the Mess Deck. Blank, expressionless faces of young men barely old enough to shave, and grizzled old seadogs alike, shed no light on what was milling around inside their heads.

These were Marines. Men who had chosen a lifestyle that demanded grueling hardships and rigid discipline. This pre-dawn meal was only a part of a long and colorful history of tradition. It was to be a last hearty feast for many. Shortly they would "Saddle Up" and drop over the side of their host's ship and crowd into the small assault craft. The landings on hostile beaches produced heroes and cowards simultaneously, but each landing produced something even greater, National Pride. "Uncommon Valor was a common Virtue."

American Marines were to be known as the finest fighting force of any. The spirit of America was wrapped up in these modern day Spartan Warriors. The tenacity with which they hung on, refusing to budge, the spirit that each Marine carried within him, for his Country, Corps, and fellow Marine. The will to win at any cost, and the loyalty to die for his Corps and Country, and the absolute discipline both as a Unit and as an individual Marine. These traits broke many an enemy's back for over 200 years. The Corps is a living relic of man's fighting spirit. It embodies all the hopes of free people everywhere.

Many have tried to analyze, examine, and dissect this group to see what their magic was; how they could perform these apparent miracles with young Americans of the same background as those that comprise the other Armed Services? There has been many attempted explanations, but only one comes close, and it really can't be defined. How can you explain an attitude? This has been the Corps' greatest asset from its conception. They have always recruited on the basis that only the tough need apply, because only they

would be accepted. The challenge of being a Marine, a member of an elite force of men who have no limits of excellence has attracted a few good men to enlist in his noble outfit.

The other branches have their traditions and histories also, and there is much glory among them. They have served our nation well, and with great pride. But they failed to hang onto a lot of what had made them strong. And their missions weren't the same as that of the Corps. But the big difference is that in any team, even the very best of them, one player is the star, and in our Nation's team of the Armed Services, the Corps is the Unit that holds the spotlight. The Marines have fought through the centuries with great pride, and the efficiency of a well-oiled machine.

Some say that this group and their attitudes are obsolete. But as long as man lives, there will be wars, and as long as there are wars, no matter how sophisticated, there will be a need for that small strike force to spearhead the attack and bring the battle to an end.

Why is it that the Marines are now fighting to preserve their heritage? That unique way of life they have managed to hold onto for every Americans benefit?

The Corps is comprised of men, human beings with the same faults as any of the species; they have their good and bad. Some, despite a varying degree of proficiency in their jobs, lack good judgment. These few (a minority in any group), have tarnished the Corps image lately. But have they managed to destroy 200 years of loyal service with a couple of untimely situations? Should the Corps suffer, and be reduced to a huge social service agency without grit? I firmly believe it is time Americans helped to preserve the Marine Corps and its way of life, just as the Marine Corps has helped so many times to preserve America and its way of life.

The Corps is something special to the Marines. Not just a job. Our pride can be traced back to our "Boot Camp". Graduating alone is an ordeal to most Marines, and one that they experience great pride from.

I'm a career Marine, and damn proud of it. And I'll be real frank! I don't like the pressure the Corps is being placed under! We are being forced to accept substandard recruits, and being forced to train them. Our standards and demands on our recruits are being forcefully lowered. You Americans will eventually have a substandard Corps if things continue. We Marines, those of us that wear the Green because we love it, want our Corps to be stronger, not weaker.

When a young man comes to us and says "I want to be a Marine," we want him to show us, and to prove himself. We want to challenge him, physically, emotionally and mentally. And if he breaks or lets down—simple—he doesn't make the team—packs his trash and goes home. At least he tried. And I firmly believe that the young men that join today (because they want to be Marines), feel the same way. Ask them! Let's increase our standards and make our training equal to our mission. Just as tough as we can?

We need help with our latest battle. We need supporting arms, and reinforcements. We need the people we have sworn to defend. You are our support, stand up for us and give us strength. From you, we will receive our reinforcements. Only those of you that are willing to be Spartans, and meet this challenge need apply. The rest of you stay away.

There are many slogans involved with Marines and their life style. But to me, the two that bring them all together are: "The more you sweat in peace, the less you'll bleed in war," and "When the going gets tough the tough get going."

I'm a Drill Instructor (DI), and I train Marines. I want my Corps to endure always. Let us train our recruits to be everything we

all expect of a Marine, and don't be critical of our ways and methods.

If the day should ever come when the word "Marines" no longer strikes a twang of pride in Americans, or the chill of fear in our enemies, then we have lost a very precious thing. But most of all Americans, we have lost a small aggressive band of men who care enough to give their very best—their lives—

GY/Sgt. TERRY W. STEWART.

### CHAIRMAN RODINO SPEAKS OUT

#### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. RANGEL. Mr. Speaker, in the April edition of the Third Branch, a bulletin of the Federal courts, the distinguished chairman of the House Judiciary Committee is interviewed on matters of concern to all Americans. I believe the comments PETER RODINO makes on the legislation which his committee is considering, particularly as those remarks relate to the controversial S. 1, should be shared with all of my colleagues. For that reason I would like to insert in the RECORD at this point the complete text of the interview with my personal friend and distinguished colleague. The interview follows:

SPOTLIGHT: INTERVIEW WITH CONGRESSMAN RODINO

Congressman Peter W. Rodino, Jr., Chairman of the House Judiciary Committee, is not only one of the most influential members of the Congress but heads the House Committee which handles legislation of prime interest to the Judiciary. In the following wide-ranging interview, he discusses such current issues as the problem of sentencing disparity, the possibility that S. 1 (the bill codifying the federal criminal law) will be enacted and the need for higher judicial salaries.

*Does the recent increased interest in sentencing manifest a discontent by the general public and the Congress with the present system?*

It's not so much a discontent with the structure of the system, but more a frustration that the system doesn't seem to be working fairly; it seems inequitable.

*Are you talking about disparity?*

Yes, and that, of course, does arouse many people, it creates the appearance of unfairness. The whole problem was clearly revealed when the Federal Judicial Center self conducted a study which found that some instances where the same test was given to different judges, a disparity in sentencing was evident.

This is something that has to be. People wonder, first of all, whether it may be just because the judge is fair. They wonder whether it's corruption or whether it's influence. People begin to look for a system of justice that is fair and they naturally look for a system. I think about it. I've been a period of time people out in from the p have been

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vehicle with which the Congress could study the issue. I introduced it in the House. I think a commission of the sort proposed by the Bill is desirable. We have to promulgate guidelines that will be predictable and fair. We want to rely on the expertise of this Commission after it studies the problem. Similar crimes, in situations where other factors are equal, should carry the same or similar sentences. If not, that is, when a sentence falls outside the guidelines established by the Commission, then we want a right of appellate review.

*Do you believe that appellate review of sentencing would be better than having sentencing by a panel of three district judges? Do you think the appellate judges are in a better position to do it than district judges?*

Well, there is at least a further opportunity to be able to do this from a point of view other than that of district judges.

*Perhaps it would be a more objective system?*

I would hope so.

*Possibly because the defendant himself would be more assured knowing his sentence had been reviewed at a higher judicial level?*

Yes, at that point he has been at the district court level, and he may feel he was not sentenced fairly, and wants the review of a higher court.

*Do you anticipate the Bill will move rapidly in this session?*

Well, I have instructed the appropriate Subcommittee to do all the necessary staff work and to move on it, giving it priority status. I think it's tremendously important. If it is one of the things that somehow or other causes people to look upon our system of justice as unfair, then I think that we need to act. One of the main concerns I have generally is about the breakdown of confidence in all institutions of our government. If the administration of justice in particular breaks down I think we are in for a very rough period. I think we have got to give this Bill top priority.

*The Attorney General, as you know, favors the Bill.*

I know that the Attorney General has not only talked about it, but I think, in general, he has endorsed the concept.

*What opposition do you foresee?*

Well, I frankly don't know except perhaps if one were to make the argument that this would somehow make sentences lighter.

You know, there is a school of thought that believes that all we've got to do is be tough in order to be able to deal with the problem of crime. I think there may be an effort to try to generate this kind of opposition which in my judgment is not warranted. It is not well founded, because I think that in the end if we simply eliminate the disparity and we deal justly, we will be making some real advances in the war against crime.

*There appears to be, at least in the Senate, a strong move by the leadership to arrive at some compromise on S. 1, at least on some of the more controversial parts of the Bill. Is it possible there will be a similar move in the House?*

Well the situation regarding S. 1 is very interesting. A while ago, Senator Hruska and Senator McClellan sought a meeting with me and Congressman Hungate, Mr. Hutchinson, the ranking Republican member of the full Judiciary Committee, and Mr. Wiggins, the ranking Republican member of the Committee on Criminal Justice which Bill Hungate chairs. We discussed whether or not we would be acting on S. 1, and at that time, (perhaps seven or eight months ago), we raised the possibility of considering it when and if the Senate approved it. At that time Senator McClellan told me that he thought the Senate was moving rather rapidly. After that meeting, I remember examining some of the great controversies that had already arisen regarding some of the provisions of S. 1. Knowing that some members of the Judiciary

Committee, Congressman Kastenmeier and Congressman Edwards, had served on the Brown Commission, I talked with them at some length. I envisioned that unless we were able to do something which was realistic as to procedure, I didn't think that we'd get anywhere. So, at that time, I advanced a notion that perhaps it might be well to separate at least the non-controversial issues to see if this would indeed be helpful in doing something at least about re-codification.

*Federal judges are concerned about the timing. As you know, in the Bill as it is now drafted, they have one year to conform and they are wondering whether or not they will be able to do something as basic as revise all the jury instructions.*

I must say that having talked with some individuals who I think are very perceptive about what would be necessary in order to make the transition—if indeed it were to take place—that the one-year period is probably short of anything that is realistic. Here is a code, as we know it, that has been developed over a period of many years, and to expect a change—to expect that juries and judges and everyone involved would be tuned in within that period of time may just not be realistic.

*Our judges will be glad to know that you are sympathetic to their problems.*

Well, I feel that my sympathies are pretty well grounded because judges are the people who would want to make the transition most carefully.

*Are the controversial aspects really a small part of the total Bill?*

I don't think I can cite a percentage. But I suggested that we try to set up some kind of a liaison between the two committees, with our staff people meeting, so that there might be an opportunity from time to time to just review this as a possible procedure. I think that this was done for some time, but, of course, we've been involved in so many other areas.

*What progress is being made?*

At the present time, a very great deal of staff work is being done on our side—a lot of staff work. We have been waiting on the Senate to take whatever action the Senate has said it might take. We are aware of the fact that Senator Mansfield and Senator Scott have moved on this, and that there has been some talk about trying to do this, but whether or not it actually comes about, I don't know. I understand the Bill has been reported out by the subcommittee without recommendation. What they are actually going to come up with in full committee is far from clear. It seems to me, though, that realistically speaking, those areas that are in controversy have really generated a tremendous degree of opposition. No matter where I've gone to address groups I immediately have been asked, "What about that S.1?" And people are not opposed just for the sake of being opposed, but because they look upon it as something that is going to infringe upon some of their basic rights. People are strongly aroused.

*Outside the legal profession too?*

Yes, oh yes. I gave a lecture at Tulane, and I had a number of conversations regarding S.1, and most of them with people outside the legal profession. This happened also when I addressed a group at American University in Washington.

*Is this another indication that people are interested in their courts?*

Oh yes, absolutely. The one thing about S.1, of course, is that people seem to be aware generally of some of the very, very tough provisions that seem to intrude on the rights of individuals. And people see this intrusion as a potential infringement of basic liberties. Frankly, this is what we hear which, of course, impels us to act even more diligently. We must exercise this diligence for one thing because of the very length of the Bill, as well as the many provisions which are the basis for disagreement. There is much in S.1 that

diverges from sound recommendations and from present law.

*By "present law" you mean what is in the Code now?*

What's in the Code, and what we find the Brown Commission actually reported.

*Aren't there some crimes now defined in the Code in five different sections in five different ways?*

Yes, yes there are. This is pretty well addressed though by the Bill that has now been introduced, H.R. 333, by Mr. Kastenmeier and Mr. Edwards and Mr. Mikva which is now I believe also H.R. 10850. I think it has been substantially revised in the new Bill.

*Do you have a special feeling about secrecy in Government and which papers should be public records and which should not?*

Yes, of course, I think secrecy in government generally is something that gives me great pause.

One of the big concerns that I have about how we operate in Government is whether or not the people have confidence that they are able to participate in the system and that Government is being open, frank, and honest. I don't think that people want to know everything. And I don't think that people are just prying, but I do think that people want to be sure that what is being done isn't being done covertly or in a way that intrudes on their basic rights.

*There is some feeling within the judiciary that some removal procedures for judges should be set up short of impeachment. The Nunn Bill addresses this issue. What are your views?*

These problems develop whenever we have the question of additional judgeships coming up. We have been very aware of the problems that arise. I don't think I'm prepared to say just what we should or should not do, because while the problem of impropriety may be there, I don't know whether or not we could say that it is very widespread—that it requires that kind of attention. I think that we can always make the necessary changes or corrections. Probably when we consider some of our judgeship bills, we ought to address some of these questions.

*We're talking about removing a judge from actively handling cases when he is clearly not able to function.*

Well, I think that is a subject that ought to be addressed, but again I don't know how widespread the problem is. I consider the problem—the question or the subject of impeachment—as something that we have to address in a manner that causes us to look upon it as only a very extraordinary procedure. I would hope that we would find in cases like this some other kind of mechanism. I am sure the question will come up, when we consider the matter of additional judgeships.

*Judge Lawrence Walsh, President of the American Bar Association, met with about 70 people on the selection of federal judges recently. Do you have any ideas as to how to improve the process?*

Well, I really do believe that our people place a special importance on the judiciary as an institution, and appropriately look upon it as a safeguard. It would appear to me that when you consider appointing judges, therefore, we really do have to find men and women not only of competence but who also have a special kind of basic character, proven from experience and based on their whole life style. I think that we can never be too careful in the selection process, and I think that this whole question of appointing judges, just out of political obligation is something very offensive because we are dealing with a very sensitive area of our democratic process.

*Do you think federal judicial salaries are too low?*

I think that's always a very legitimate grievance. I think that we've got to recognize that when you call upon good people you



just cannot expect them to make extraordinary financial sacrifices. I think the mere fact that they dedicate themselves, give a lot of time, remove themselves from society almost, in order to do a proper job, then this had to be taken into account. The other side of the coin is, I think, that when the judges do find themselves in this kind of dilemma that it's less than becoming to make it appear that money is the end-all. I guess that also bothers me because it then becomes a question as to whether or not this is the end-all. But we ought to provide federal judges with the necessary kind of financial security so they can do their job without deep anxieties and concerns about whether their families are suffering—and there are many that are.

*Have you or your colleagues in the Senate run into any situations where good candidates for judgeships have declined an offer of a judgeship because of the low salary?*

Oh yes. I do know that some are serving now with great sacrifice. But I also know that there are others who would have, under other circumstances, welcomed consideration—who might have considered such an opportunity but did not because of the low salary.

*They can't afford it?*

Yes. First of all, their life style must be considered. Their families have been accustomed to a certain mode of living and all of a sudden you ask them to give this up. Unless he or she has made it financially, prior to their service on the bench, it becomes a problem.

*Education of their children seems to bother them.*

Oh, absolutely. And I guess you can make this case out for people in Government generally, which was one of the reasons I wish my own colleagues had the courage many years ago to simply say "Look. We are dedicating ourselves. We want to do a good job. We don't want to have any undue anxieties, any hardship concerns, we want to be adequately compensated, not just because we want to be adequately compensated, but in order to do the job." But we haven't done that either, and, as a result of that, unfortunately, even we in Congress have suffered. As a consequence of that when you get requests for increases in judicial salaries, it is inevitably tied with Congressional salaries, and you get a serious legislative problem.

#### ANOTHER PROBLEM IN OUR NATIONAL FORESTS—RIGGED BIDDING

**HON. GEORGE E. BROWN, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. BROWN of California. Mr. Speaker, over the past few days, in remarks made here on the house floor, I have been trying to clarify the various problems which have arisen from lack of congressional oversight and stronger guidelines on national forest management. In response to my position that legislated policy and guidelines would help to alleviate some of the most serious management problems, the Forest Service has contended that true forestry professionals must remain unrestricted if their talents and best judgment are to be properly exercised.

Though I readily admit that technical scientific and management decisions should be left to the discretion of our excellent professional foresters, there

are some questionable practices occurring which must be curtailed.

I have pointed out some such practices in previous statements—abusive harvesting techniques causing solid erosion, nutrient runoff, and the like, lack of buffer strips along water bodies' edges, sales below cost, payments to counties, et cetera.

An article which appeared in the Sacramento Bee on May 9, 1976, by George Baker, succinctly outlines another major problem which could take on scandalous proportions if evidence continues to support suspicions. This is the problem of rigged bidding for national forest timber. The first case occurred in Oregon's Willamette National Forest, leading to the conviction of five companies and the estimate that over \$40 million was lost in a 5-year period to the Federal and county governments as a result of the proven collusion to keep bids low.

The Department of Justice is now conducting a criminal investigation in California, Oregon, Washington, and Alaska. It is possible that millions of dollars have been lost to the Federal and county governments in similar bid riggings throughout these States.

My reason for drawing this to my colleagues attention is to stress the point that under present loose guidelines, lack of restrictions, and little congressional oversight such illegal practices have occurred. I question the arguments of the Forest Service that it handles the job best when left alone.

I urge my colleagues to review the following article closely:

[From the Sacramento Bee, May 9, 1976]

**PROBES SUSPECT RIGGED BIDS FOR U.S. FOREST TIMBER**

(By George L. Baker)

WASHINGTON.—Federal investigators have uncovered evidence of what they believe is a widespread and long-standing scheme by some timber companies to rig bids for purchasing timber in U.S. national forests in California and other western states, The Bee has learned.

The bid rigging means abnormally low prices have been paid for timber, resulting in a revenue loss to federal and county governments of up to \$100 million, sources said.

A criminal investigation by state officials and the Department of Justice is under way in California, Oregon, Washington and Alaska, involving several of the nation's largest timber companies, several sources said.

Bid rigging, says one source familiar with the investigations, is the West, particularly in those areas where there are few bidders for timber grown on federal land.

The Justice Department declined comment and Forest Service officials said the magnitude of the problem was overstated.

The investigations grew out of a case in Oregon's Willamette National Forest last summer in which five companies and two individuals were convicted of conspiracy to rig bids and allocate timber sales at supposedly competitive auctions conducted by the Forest Service, an agency of the U.S. Department of Agriculture.

The extent of the problem was indicated in an investigation by The Bee which found that:

—Internal Forest Service memoranda and letters, obtained by The Bee, suggest bid rigging and collusion could be far more pervasive than Forest Service officials admit publicly. Moreover, these documents and

subsequent interviews show the Forest Service is unable to adequately monitor the industry's bidding practices and attempted to do so only after the Willamette convictions.

—About three weeks ago the Justice Department began an investigation in California, according to a Forest Service official, and is expected to use the subpoena power of a grand jury to broaden the probe.

—The State of Oregon is investigating suspected bid rigging on state-owned timberland and on 2 million acres of forestland managed by the Federal Bureau of Land Management. Steven Dunn, an attorney with the Oregon attorney general's office in Salem, said, "The bidding pattern was such that I think we're going to find something. The rumor is that it's a pretty prevalent practice in Oregon and Washington."

Bid rigging could be costing the federal government and counties millions of dollars in revenue. The federal government collects the money from timber sales which last year amounted to \$341 million nationwide, and returns 25 per cent to the counties in which forests are located. The money goes for roads and schools.

In the case of last summer's Oregon convictions, involving only one ranger district in one forest, the government estimated it lost nearly \$40 million from 1967 to 1974 the period during which the conspiracy occurred.

That amount is the difference between what the timber companies paid and what government lawyers estimate they would have paid under truly competitive bidding. The federal government and State of Oregon have filed civil suits to recover the money.

In California, according to Forest Service records, timber revenues from 1972 to 1975 were \$385 million, of which \$96 million went to the counties.

The investigations come while Congress is grappling with legislation overhauling the Forest Service's timber management practices. While the bills deal primarily with the issue of clear-cutting, they would give the agency greater administrative power.

Other legislation is pending that would increase Forest Service payments to counties. This additional revenue would come from the federal treasury and not higher-priced timber sales.

All this has served to focus attention on the close and sometimes symbiotic relationship between the Forest Service and the forest products industry. It is a relationship which critics, including some timbermen, feel is dominated by the industry.

Further, the investigations have been an acute embarrassment to the Forest Service for they underscore its lack of attention to one of its prime duties—insuring that top dollar is gained from the sale of public resources.

In the West in particular, the forest products industry flexes great political and economic muscle. In California the industry ranks with agriculture, defense and aerospace as a leading generator of dollars and jobs. In Oregon, it is the No. 1 industry.

Before auctions occurred, several timber companies informally agreed among themselves which sales areas they wanted. Most of the companies submitted sealed bids offering the minimum appraised price, while the company which truly wanted the sale would bid the price up on slightly.

Only when companies not part of the conspiracy tried to buy timber, was the bidding competitive. It was so competitive, in fact, that the outsiders were always outbid.

One of the companies convicted in the Oregon case was Champion International Inc., once known as U.S. Plywood, which had worldwide sales last year of \$2.4 billion. Fined \$50,000 in the Oregon case, Champion has been subpoenaed by a grand jury in Portland, along with Simpson Timber Co. and the American Can Co. The grand jury is looking

at sales in Oregon, Washington and Alaska, sources told The Bee.

Champion was the fifth largest buyer of federal timber last year, buying 259.5 million board feet; Simpson was right behind, purchasing 256.6 million.

The Justice Department also has turned its attention to California which, behind Oregon, is the second largest source of federal timber.

Justice attorneys examined sales records for the past several years on several California forests, said Ray Dougherty, who is in charge of timber sales in California for the Forest Service.

One area the Justice Department is believed to be probing is the 1.3 million-acre Sierra National Forest, east of Fresno, where there is a long history of non-competition in bidding for U.S. timber. The Forest Service attributes the situation to local economic conditions.

In a letter last October, Regional Forester Douglas Leisz wrote, "The bidding record for (the Sierra National Forest) indicates a marketing area that for years has had relatively little competition, with substantial volumes of timber sold with no bids above the advertised price."

Dougherty said the average bid premium on California forestland is 1.8, which means the timber is sold at 1.8 times the appraised price.

Only last year, when a Northern California firm tried to buy timber in the Sierra did the bid ratio for that forest approach the average. The company, Siller Bros., tried at least three times to buy timber, but each time was outbid by one of the Fresno-area firms.

This prompted Jack Dozier, local manager of American Forest Products Inc., (AFP), a division of Bendix, and the dominant lumber company in the Fresno area, to complain about "speculative" bidding. For the last several years, AFP has been the biggest federal timber purchaser in California.

In prior years, American Forest Products seldom had to pay prices above the appraisal. Indeed, in several years there were no competing bidders.

In all, American Forest bought 287 million board feet in 1970, 1971 and 1973 for a total of \$7.3 million. If the sales from Sierra National Forest had been at the average of 1.8 times the Forest Service appraisal, AFP would have paid more than \$13.1 million. The difference, \$5.8 million, would have gone to the U.S. treasury, with Fresno, Madera and Mariposa Counties collecting an additional \$1.46 million.

John Vance, deputy regional forester, said there was no evidence of collusive bidding in the forest and that the lack of competition was caused by the small number of companies operating in the area.

In Washington, national Forest Service officials said there have been isolated instances of collusion, but that overall it is not a serious problem.

"We don't have evidence it was widespread," said George Leonard, national director of timber sales.

One of his bosses, A. P. Mustian, assistant national director for timber management, declared, "I would not think it's a great problem. I personally doubt (the allegations) are true."

But documents obtained under the Freedom of Information Act suggest the Forest Service is growing alarmed at the possible extent of the problems.

For instance, in a letter last month, proposing to change the method of sales, the regional forester for Oregon and Washington, T. A. Schlapher, said: "The Justice Department is actively investigating other cases in the region. One case already has involved grand jury action. We cannot afford to be caught without having taken any action in the event there is another conviction."

"There are situations in the region where many people believe collusion exists," he added, "yet we have never been able to get any evidence to support corrective action."

Mustian said in an interview that it wasn't until last year that the Forest Service began developing procedures for monitoring timber sales. These regulations are still being developed, he said.

In a February 1975 memorandum, the national director for timber management, Richard E. Worthington, said that "within the past year we have had a significant increase in the number of tie bids reported."

The bids are supposed to be turned over to the Justice Department for investigation, possibly of collusion, but until recently Forest Service officials had been relying on a 1962 directive telling them not to report such bids.

Worthington also wrote, "Competition on the Willamette is usually very keen, but apparently has not prevented collusion. In less competitive areas similar evidence may exist. Recently an analysis was made for another purpose revealed that two bidders have apparently been alternating sales."

"We have another reported instance of apparent collusion in bidding," he continued. "In this case, one of the bidders in an oral auction requested a recess and stated that he wanted to get together with the other bidder. The two bidders left the room together. When the auction resumed, one bidder announced that he had finished bidding."

Worthington did not recall immediately the names of the companies involved.

## PROTECTING OUR PORPOISE

### HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. YOUNG of Florida. Mr. Speaker, today the House Merchant Marine and Fisheries Subcommittee on Fisheries and Wildlife Conservation and the Environment is holding hearings on H.R. 13865, a bill introduced just 2 days ago by the chairman of this subcommittee, Mr. LEGGETT. The effect of this legislation would be to overturn a May 11 U.S. district court decision which declared as void the general permit authorizing the taking of marine mammals incidental to commercial fishing operations.

Notification of these hearings, via a "dear colleague" letter was not even received in my office until late yesterday afternoon. I have, therefore, today written Chairman LEGGETT, expressing my concern over the expedient manner in which these hearings were scheduled—not providing ample prenotification to those Members who might wish to testify on an issue of such importance. The text of my letter follows:

HOUSE OF REPRESENTATIVES,  
Washington, D.C., May 20, 1976.

HON. ROBERT L. LEGGETT,  
Chairman, Subcommittee on Fisheries and Wildlife Conservation and the Environment, House Merchant Marine and Fisheries Committee, Longworth House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: As you know, on May 11th a federal judge in Washington ordered a complete ban on the killing of porpoises by the tuna industry.

In a suit brought by the Committee for Humane Legislation, Judge Charles Richey

ordered the Department of Commerce to revoke all permits to the tuna fleet which permit "the incidental killing of porpoise unless and until . . . such killing is not to the disadvantage of the porpoise and is otherwise consistent with the intent of the Marine Mammal Protection Act of 1972". Judge Richey's decision is consistent with a bill I first introduced in 1974, and again on the opening day of the 94th Congress, which flatly prohibits the issuance of any permit to take marine mammals in connection with commercial fishing operations.

In 1972, Congress enacted the Marine Mammal Protection Act to prohibit the taking or killing of marine mammals except under certain specified conditions—such as for scientific research or for aquatic display museums. However, a two-year exemption was granted to commercial fishermen under the Act in order to allow them to develop special fishing techniques to protect porpoises. This two-year exemption expired on October 20, 1974. The Marine Mammal Protection Act allowed commercial fishing operations to continue after October 20, 1974, under permits issued in accordance with regulations designed to protect marine mammals and reduce their serious injury or mortality to insignificant levels approaching zero. In handing down his decision, Judge Richey stated:

"Since the two-year grace period expired on October 20, 1974, the only limits the agency has placed on the general license to take marine mammals have concerned certain gear and fishing techniques; the agency has never set a limit [as mandated by the Marine Mammal Protection Act] on the number or porpoise which can be taken, despite the fact the incidental porpoise mortality during this period has been on the rise.

"Therefore, in light of the agency's continued failure to follow the mandate of Congress, the Court feels that the only appropriate relief at this time is to stop completely the incidental killing of porpoise unless and until the federal defendants [the Department of Commerce] are able to determine, as the Act plainly requires, that such killing is not to the disadvantage of the porpoise and is otherwise consistent with the intent of the Marine Mammal Protection Act."

Judge Richey's decision accomplishes what I have attempted to accomplish via the bill I first introduced almost two years ago. In view of the May 11th court decision, I am concerned over the fact that today your Subcommittee is holding hearings on H.R. 13865, a bill introduced by you just two days ago which, in effect, would overturn the court's decision. I, therefore, respectfully object to the expedient manner in which these hearings were scheduled—not providing adequate notification to interested Members who may wish to testify on this important issue.

With best wishes and personal regards, I am

Very truly yours,

C. W. BILL YOUNG,  
Member of Congress.

## THE BUSINESS WHIZ BOSTON LOST

### HON. JOHN G. FARY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. FARY. Mr. Speaker, I recently had the pleasure of meeting and talking with former House Speaker John W. McCormack on his recent visit to Washington where he was honored by his former congressional colleagues. While talking



with this legendary leader at the caucus room I had the feeling of being surrounded by an aura of warmth and compassion which permeated from this gentle and kindly man and extended to the many of his former colleagues, House employees and others who stopped by to greet and inquire as to his well-being.

I was happy for the moment to extend to Speaker McCormack personal greetings from his boyhood friend in Chicago, Mr. Patrick O'Malley, who too is possessed with a magnetic personality and the famous Irish charm. As we talked I could sense the striking parallel portrayed in the lives of these two outstanding sons of Boston who were raised in the same Irish neighborhood—one to embrace the world of politics and to be recognized as one of the great leaders of our time—the other to become a giant in the field of industry.

I presented Speaker McCormack with a recent article which appeared in the Chicago Daily News under date line of May 2, 1976 captioned "The Business Whiz Boston Lost." As he read it a smile lightened up his countenance, and he nodded his head in agreement.

Mr. Speaker, I would like to include herein this most interesting article on Patrick O'Malley. It is a Horatio Alger story of a poor Irish boy who stepped from a humble beginning in Boston, to become an outstanding civic leader in his adopted city of Chicago where he resides in affluence on Lake Shore Drive. This could only happen in America.

Mr. O'Malley will be honored at a Bicentennial Civic Dinner on June 21 in Chicago as the "Man From Boston" who has captivated the hearts of all Chicago. This affair is sponsored by the Back of the Yard Council, America's oldest community organization of which Mr. Joe Meegan is the dynamic executive secretary, a treasured friend of former Speaker John W. McCormack and Mr. Patrick O'Malley.

The article follows:

#### THE BUSINESS WHIZ BOSTON LOSS

(By James Kloss)

Patrick O'Malley was ready to take a big step up from the Irish slums of South Boston.

He was about to set out on a road that had been blazed through the Yankee political control of that city by another Irishman from those same slums, the legendary James Curley, the model for the political boss in the novel, "The Last Hurrah."

After several years of faithful party toil for Curley, his idol and mentor, the 21-year-old O'Malley set his sights on a seat in the Boston City Council.

But O'Malley also had his eye on a young woman he had met at an Al Smith-for-President meeting. Their romance and O'Malley's political plans progressed. But one day the lady issued an ultimatum.

"I had announced my candidacy. We had a storefront headquarters all picked out and I had some cards printed up," O'Malley recalls today. "And then Helen told me, 'Pat, I'll never marry a politician.'"

O'Malley chose the woman, and he remains married to her today. "And if I had run for the council instead, I might still be a political hack, a minor bureaucrat back in South Boston," mused O'Malley, who today is chairman of the board of the Chicago-based Canteen Corp.

Instead of looking to the ballot box, O'Malley looked to the bottom line of the balance sheets of private enterprise for his measure of success. With that, and a seemingly compulsive willingness to join a parade of "community service" organizations in cities from Oshkosh, Wis., to Atlanta, O'Malley moved from shoeshine boy to corporate captain, from a South Boston four-flat to a lakeshore high-rise in Chicago.

That route also brought him to the side of another big-city Irish political boss—Richard J. Daley.

O'Malley is Daley's "blue-ribbon businessman," ready to serve at the ring of a phone call from City Hall. He is one of the half-dozen or so men closest to the mayor. Currently he is Chicago Park District president and a member of the Regional Transportation Authority. He has served as chairman of the Chicago Plan Commission and the Home Rule Commission.

And in the last mayoral election, he worked hard for Daley's campaign, showing the same intense loyalty he gave to that earlier political boss back in Boston.

"Curley took me into his home once—it was beautiful. Imagine the effect on a kid like me," O'Malley said in his Canteen Corp. office in the Merchandise Mart. Daley looks out from a framed, color photograph hanging next to O'Malley's desk.

"Curley taught me how to speak—to talk effectively on a topic to individuals and crowds. He was a real silver-tongued orator," said O'Malley who candidly noted that Curley was not exactly your proper Bostonian civic leader.

"He once got elected while he was in jail, you know. He was sentenced for taking a civil service exam for a friend," O'Malley said. Curley was elected Boston mayor, Massachusetts governor and a congressman. He went to jail again for graft on federal contracts, while serving in the House.

After O'Malley decided not to take the plunge into elective politics back in the '30s, Curley advised him to stick to business, a career O'Malley had started at age 9. "I was working in a shoeshine parlor. I wound up making more money than the owner. He charged a nickel for a shine but I'd get a dime tip."

O'Malley was no stranger to hard work. He saw his father, a stern disciplinarian, stock 500-pound bales of wool to put food on the table for his wife and four children.

Curley got O'Malley a job with the Coca-Cola Co., and he went from route salesman to supervisor to branch manager. In Quincy, Mass., O'Malley started on his parallel career of community service when he agreed to head a Victory Bond drive.

"I still have the plaque I received for being the first chairman in Massachusetts to make his quota," O'Malley said. In every city where his business career took him, he joined—the Rotary, the Chamber of Commerce, the community fund drive.

Today, for example, O'Malley's biographical data sheet mentions he is or has been a director of the Chicago Convention and Tourism Bureau, The Better Business Bureau, Roosevelt University and Mundelein College and a member of an advisor's council for the college of business at Notre Dame, to name a few. In the business world, in addition to his Canteen Corp. affairs, he is a director of Trans World Airlines (Canteen's parent corporation), Casualty Insurance Co., Del E. Webb Corp., W. F. Hall Printing Co., Stone Container Corp. and chairman of Michigan Ave. National Bank.

Among many professional organizations, he is president-elect of the National Restaurant Assn. He also has a heavy speech-making schedule.

"It's not just an ego trip. I decide a long time ago that you work hard to make a little extra for yourself, but you owe it to

others to put something back in the community," O'Malley said.

"But I don't know why it is that there is hardly an organization that I go into that I don't wind up chairing or leading," he added. O'Malley said his activities also were good business. "You meet a lot of people who may be the heads of companies you'll do business with."

O'Malley moved up in the Coca-Cola organization to a vice presidency in the firm's headquarters in Atlanta.

"Being a vice president for Coca-Cola in Atlanta then was just like being a cardinal in Chicago—everybody wants to kiss your ring," said O'Malley who, like Daley, is a devoted practitioner of the Catholic faith.

But O'Malley was lured away from Coca-Cola to head Canteen Corp. in Chicago in 1962.

The vending and food service firm was in trouble at the time. It had expanded too rapidly. "The first thing I did was to get us out of Europe. I wrote off \$11 million. A few stockholders were a little nervous," O'Malley said.

Under O'Malley's regime as president and chief executive officer, Canteen went from \$193 million in sales to \$490.7 million in 1975. He has just stepped down as chief executive, but remains chairman of the board.

O'Malley says he met Daley at a charity dinner where they sat next to each other.

"We found out we shared a mutual philosophy," O'Malley said, although O'Malley's winning way with a funny story might have had more to do with the instant rapport than a discussion of philosophy.

"We also talked about our similar backgrounds, although he came from Bridgeport, which was higher class than South Boston."

O'Malley said Daley is "basically a very conservative leader." "Daley is the personification of everything you look for in a fine leader. You respect the man for what he is," O'Malley said unabashedly.

Soon after their first meeting O'Malley got a phone call from the mayor. "He wanted me to go on the Plan Commission board," O'Malley said. Since then, the phone has rung often, and O'Malley has always said yes. He has scorn for "absentee" businessmen.

"It really bothers me to see these people come into the city on the train in the morning and then leave at night. They never put a thing back into the city where they make their money," said O'Malley who lives at 229 E. Randolph.

There are some critics, primarily the mayor's, who question O'Malley's independence.

Although they concede that O'Malley is more willing than many Daley appointees to give the public a hearing, they doubt that he would go against the mayor's wishes. "If the mayor wanted to build a sports stadium in the middle of Lincoln Park, I suspect O'Malley would be all for it," said one critic.

O'Malley insisted, however, that the mayor does not give him orders. "I've never once been told how to vote on the RTA," said O'Malley, although he conceded he meets at least once a month with Daley.

O'Malley said his tenure of less than six months on the RTA board has been "frustrating and disappointing" at times. Some of that frustration, he said, stems from "personality squabbles" such as the clash between suburban board members and RTA chairman Milton Pikarsky.

O'Malley showed Friday that he is one of the more influential members of the RTA board by proposing a re-organization plan that would remove Pikarsky from day-to-day operating responsibilities. The move may pave the way for a compromise and end the board's wrangling over the "petty details," O'Malley finds too time-consuming.

O'Malley hardly has time for petty details

as he juggles his schedule to accommodate innumerable committees, boards, banquets and speechmaking activities.

He also is one of the city's more fanatical sports fans and always manages to find time to take in a White Sox game, or the Black Hawks, or the Bulls, or even the Cubs (his wife is a Cub fan).

"I don't play golf or tennis. I'm strictly a spectator sports fan. I get my exercise from walking and running from one meeting to another. O'Malley says with a laugh.

#### MR. DEMOCRAT

### HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. DELANEY. Mr. Speaker, the Honorable James A. Farley, past chairman of the Democratic National Committee and former U.S. Postmaster General, has long been known and loved by the American people as "Mr. Democrat."

I would like to take this opportunity to share with my colleagues an interesting article about his vigorous lifestyle which appeared in Sidney Field's "Only Human" column in New York's Daily News on May 6, 1976.

The article reads as follows:

#### MR. DEMOCRAT

James A. Farley was saying that the victories of Jimmy Carter in the primaries, his recent success in Indiana, and the collapse of Sen. Jackson's drive in Pennsylvania, makes it apparent that Carter can't be stopped.

We were chatting at the Coca-Cola offices where Mr. Farley has had a job since 1940 as a chairman. He's now honorary chairman, "An active honorary," he emphasized. He arrives at his office daily at 9 a.m., leaves at 4:30 p.m. He will be 88 on May 30. Besides tending to his business, he personally answers the 50 letters he gets every day from friends and inquiring citizens all over the U.S., signing them in green ink, his life-long trademark.

"Most of the letters now are about the campaign. I gather the principal issue will be bread and butter: there are 7.5 million unemployed plus a few million college graduates and kids who turned 18 and can't find jobs. The principal target of the Democrats will be eight years of Nixon-Ford rule. It's my opinion that people want a change of administration in Washington."

Back in 1932 Mr. Farley predicted that Franklin Roosevelt's plurality would be 7.5 million. It was 7 million. In 1936, he was scorned when he said that his party would carry every state but Maine and Vermont. It did.

Often called "Mr. Democrat," he's been a delegate to every national convention from 1924 to 1968. In 1972 Mr. McGovern's young Turks kept him away. He was not named a delegate to the coming convention, which was not only bad manners but outrageous stupidity. But it's indicated that he will be named an honorary chairman and will be asked to address the convention. In his direct way he makes no bones about who was responsible for not naming him a delegate.

"It's due to the failure of the New York State chairman, Pat Cunningham."

#### PAYS HIS OWN WAY

When he finishes his day's work, Mr. Farley walks the three blocks from office to apartment, finishes reading the newspapers, including those from Rockland County. His

hometown is Grassy Point, Rockland County. He then has his dinner at 7:30, if he doesn't go to a banquet. He attended 81 last year, went to three this week alone.

"It's usually a charity affair, and the guest of honor is a friend. I buy my ticket. A matter of principle, and I want the affair to be a success."

He entered business as an \$8 a week book-keeper, became a successful building supply salesman, even more successful running his own building supply company. His mother was widowed early, supported her five sons running a small grocery in Grassy Point.

He entered political life when he was elected town clerk of Stony Point, N.Y., a GOP stronghold. . . . He got to be state chairman of his party, then national chairman, managed Roosevelt's first two presidential campaigns, and served as his Postmaster General until he broke with him over the third term issue. Farley opposed it.

"I've never stood in the middle of the road," he said, "so I've never been very far from the middle of the fight."

On his office walls there are autographed photos of every President since Herbert Hoover. And there's a copy of a painting of Roosevelt. "Every cabinet member got one," Mr. Farley chuckled, "but we had to pay for it. It was \$18."

#### ART OF BEING HONEST

On the wall there is also a tribute to him from a group of friends, which starts with a quote from Thomas Jefferson: "The whole of government consists of the art of being honest." Under it comes: "If there is among us a man whose public and private life always reflected his unswerving commitment to rugged honesty, it is the Honorable James A. Farley."

It's his boast, a modest boast, that he never smoked, drank or told a lie. He says that a liar needs a long memory, honesty is at a premium and "thank you" are the two most abused words in the language. He picked up a letter from a young stamp collector in the west, who asked for his autograph, and had the grace to enclose a 13-cent stamp.

"I'm grateful for that," Mr. Farley said. "When I answer my letters I help anyone I can, who asks for help, but they rarely enclose a return envelope or reply with any thanks."

His wife died in 1955. They were married in 1920. He has ten grandchildren and a great-granddaughter; his two daughters are married and his son, James A., Jr., is chairman of the N.Y. State Boxing Commission. When Mr. Farley held that job he kept the Dempsey-Tunney fight out of New York.

"Because Dempsey would not recognize Harry Wills, a black man, as a contender. Dempsey could have beaten him, but Wills was entitled to a chance to the heavyweight crown."

His memories are rich and he has the mind to recall them in bright detail. He rarely forgets a name or a face. That's been his trademark, too.

"I intend to carry on in the future as I have in the past. They'll never be able to retire me as long as I can come to this office. And I do every day."

#### THE HISTORY OF FREEDOM

### HON. JOHN B. CONLAN

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. CONLAN. Mr. Speaker, the Declaration of Independence tells us that freedom is an inalienable right of man,

yet very few of the 5 or 6 billion men and women who have inhabited the earth have enjoyed it. The first human beings to appear upon this planet may have been relatively free from intervention by others of their kind, but they were largely dominated by the hostile forces of nature, such as droughts, floods, storms, earthquakes, pestilence, and disease. As their numbers increased, their desire to survive forced them to form tribes and submit to the discipline of the stronger members of the group.

As numbers multiplied and tribes grew larger, discipline, no doubt, had to be more severe. The stronger tribes ruled the weaker ones and slavery was instituted.

As tribes became nations and conquered weaker nations, discipline became more severe and slavery grew. There was no Golden Rule, no Ten Commandments, and no teaching of kindness, generosity, honesty, truthfulness, or justice. The strong, therefore, worked their will upon the weak. The master and slave relationship became general.

#### PROGRESS STARTS

Let us imagine that some man, stronger than his fellows, invented a better bow, or a sharper, more effective spear. With each improved instrument, he could hunt more effectively and had more leisure time to make other improvements in his equipment. He had made a start toward conquering his environment and improving the quality of his life.

Then one night his improved bow or spear disappeared. Some member of the group had taken it. Why not? There was no moral or legal law. There were no Ten Commandments nor Golden Rule.

At this point, our strong man made another bow or spear. In time it was stolen. He made a third and possibly a fourth but when they, in turn, were taken, he grew discouraged and decided not to work so hard but to settle down in the common rut and live on the low plane of his tribe. What was the use of putting forth extraordinary effort if one was to be deprived of the enjoyment flowing therefrom?

It is difficult to see how even a start toward civilization could be made until ethical and moral concepts were born in the minds of men. Until there was some dawning comprehension that coveting and stealing were evil and against the best interest of the group, what reason was there to refrain from such practices? A moral and ethical code, including a well-based sense of right and wrong, must necessarily have developed to raise mankind above the level of the master and slave relationship.

Freedom seems to have appeared for short periods of time in various places. In the ancient land of Sumer, old records tell us that the people won some degree of freedom, only to lose it again to the expanding power of the state. Abraham, who was a member of this society, must have had some freedom in order to leave on his long journey to build monotheism and the Hebrew race.

In ancient Sumer, people even had to pay many kinds of taxes to be admitted to the graveyard for the burial of their



dead. We see the parallel today in the increasing complexities of our ubiquitous governmental structure.

Then the people would rebel, win back some freedom only to lose it again by the slow juggernaut advance of the power of the state. History seems to be the record of the long struggle between people to gain freedom and the state, dominated by the stronger element, to rule over them.

Abraham and a few of his followers broke away and followed the idea of one God who was just, honest, generous, truthful, and who opposed killing, coveting, stealing, adultery and other evils. The explanation of Abraham's success in this respect stems from the record of his long and persistent worship of God. The book of Genesis tells us again and again that everywhere Abraham went in all his nomadic wanderings, the first thing he did at a new campsite was to build an altar unto the Lord. Worship of God is the most constructive act of man. Man's perception reaches its highest point in deep worship. This is where his insights occur, leading him to see the faults of old habits and ways of conduct and to perceive newer and better ways that are more in keeping with the ideals of a God of justice, love, mercy, and beauty. As man elevates his thoughts and ideals through the worship of God, his conduct is transformed more in keeping therewith.

St. Paul expressed it beautifully when he said:

Beholding as in a glass the glory of the Lord, we are changed into the same image from glory to glory, even as by the Spirit of the Lord. II Cor. 3:18.

This describes man in the process of developing the spiritual ideals which move his world upward from the crass physical level into a life governed by such moral ideals as those expressed in the Ten Commandments.

Moses is another example of how this process operates. He worshiped God for forty years in the wilderness before he saw God in the burning bush and became the instrument of transmitting the moral law of God from the top of Mount Sinai to the low-living, ignorant mob encamped at the foot thereof. This spiritual power transformed these enslaved people into a nation noted for the ideals by which they transcended the idolatrous peoples living round about.

#### TEN COMMANDMENTS AND FREEDOM

The next time a period of freedom appeared in the world was during the 400-year reign of the Judges in ancient Israel. We are told that every man did that which was right in his own eyes. This surely indicates a very large measure of freedom. Why was it possible? Because the law of these people was the Ten Commandments. Following them, that is, worshipping God and believing in truthfulness, justice, and refraining from covetousness, stealing, and committing adultery, made possible the degree of freedom they enjoyed.

If these ideals had not been uppermost in the minds of the people, the strong, as always, would have enslaved the weak. But when men are governed

by the spiritual ideals which we have come to call the moral law of God, there is self-discipline and self-restraint on the part of the strong, permitting the weak to enjoy freedom.

We must have discipline, and if it is not the discipline we voluntarily impose upon ourselves by loyalty to these high ideals, then it must be the cruel discipline of the secret police which destroys all freedom and makes the weaker portion of the human race the slaves of the strong.

There was another period of freedom in the early history of Greece but it applied only to a few of the better educated leaders, perhaps not over 10,000 in all. Freedom again appeared in the early history of Rome, but was lost when the Republic became an empire.

#### THE NEXT SURGE OF FREEDOM

The next great awakening came with the Reformation. It applied both to the Catholic Church and to the newly formed Protestant Church. For the first time, the Bible was translated into vernacular languages and the people became aware of its teachings. They read the Ten Commandments, the Golden Rule, the Sermon on the Mount and the thoughts of the great saints and prophets who had developed the moral and spiritual structure which we call the church. It carried in it the idea of a God of justice, beauty, love, compassion, kindness, honesty, truthfulness, fidelity to principles and promises and all the attributes which we associate with God. Gradually, the worshipping of this ideal caused great changes in human character. Little by little people learned self-discipline by loyalty to the God they worshiped.

Before this, production in the Middle Ages had been organized by the king or most powerful chieftain, and carried on by the back-breaking labor of his subjects or slaves.

With the coming of the enlightenment at the time of the Reformation, a great advance was made in organizing the productive effort of mankind. With all its imperfections, mercantilism was still a big improvement over the feudalism of the Middle Ages.

#### ADAM SMITH AND THE FREE MARKET

The people of Western Europe were strongly convinced of the correctness of the Christian religion and willing to discipline themselves in accordance with its principles. Into this atmosphere came Adam Smith with the concept of the free market and the law of supply and demand. His thesis was that if people were left alone to supply their wants and needs, they would do it themselves much more effectively than could be done under central direction.

If allowed to function, the law of supply and demand—or freedom in the marketplace—allocates capital, scarce materials and manpower to the points of greatest need, to the places where the wants and needs of the people can be most adequately supplied. It withdraws labor, capital and materials from making such goods and rendering such services as are less in demand, and employs them in the making of goods and services that are more in demand. This type of econ-

omy results in the maximum satisfaction of human needs and wants. It is the most effective way ever devised for organizing production so as to bring the greatest amount of human satisfaction. Any tampering with it, any form of government control, interferes with the free operation of this law and results in less human satisfaction.

#### MORAL PRINCIPLES ESSENTIAL

All students of freedom acknowledge the great advantage and the great productive power flowing from the market economy without restraint or hindrance from government. It is not generally realized, however, that this system cannot operate in a world devoid of loyalty to the moral law. Adam Smith's free market philosophy never would have taken hold in any society other than one loyal to the moral principles promulgated by all major religions to some degree and clearly expressed, I believe, in the Christian religion. This era of the dominance of the Judeo-Christian religion made possible the function of the market economy. Great tribute is paid to the latter and justly so, but it is less well-known that it could not have functioned in any milieu other than the Christian standards that generally prevailed throughout Western Europe at the time.

The abundant production that the Western World has experienced since the teachings of Adam Smith and the political teachings of Thomas Jefferson, et al. came to be practiced after 1776 has never been equaled in world history. It was made possible by the free market philosophy operated by men who were loyal to the moral law of God.

Conversely, if we now become disloyal to that law and cease to follow the discipline flowing from it, the free market philosophy will break down and society will return to authoritarianism. In fact, we see that happening today.

#### THE CULT OF STATISM

To be sure, the ideals expressed in the Christian religion were never universally followed, and the fact of war proves that they are not fully accepted. Nevertheless, they have been honored in large degree in Western civilization and lesser degree elsewhere.

In these latter days, men plant bombs and kill innocent people because they no longer respect the commandment, "Thou shalt not kill." Crime is rampant because they no longer respect the commandment against covetousness and stealing. Sexual discipline has been very largely abandoned because they no longer believe in the commandment against adultery. One day of worship in the week is not generally observed because the public by and large does not believe in "Remember the Sabbath Day to keep it holy." Dope, liquor, prostitution, gambling, and many forms of degeneracy run wild among us because the commandments of God are no longer respected.

Parallel to this decline in moral ideals, we are witnessing the decline of the market economy and the rise of statism, or the master and slave relationship we call communism, fascism, or government-managed economy.

We see, therefore, that philosophy of the market economy is possible only in a society that is loyal to the moral principles we have been discussing. This leads me to the conclusion that unless we put God first and are determined to follow the ideals which we attribute to him, that is, justice, mercy, love, kindness, truthfulness, self-reliance, and all the rest, freedom and economic well-being become impossible.

We must have discipline, and if it be not imposed by loyalty to the moral law of God, then we shall have to endure the cruelty of the secret police with all the suffering that accompanies it.

We have the choice, but it is one or the other. Freedom cannot prevail without moral ideals. Moral ideals cannot prevail in a society which denies God and his moral law—which recognizes no absolutes other than the constantly changing will of the party.

"Choose you this day whom ye will serve."—Joshua 24: 15.

#### HUMPHREY-HAWKINS AND THE WISHING WELL

#### HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. HYDE. Mr. Speaker, one of the major planks of the Democratic Party platform in this election year will be in support of their definition of "full employment." The Humphrey-Hawkins Full Employment Act embodies the Democratic Party's philosophy in this vital area. One of the most objective commentaries on this proposal was contained in the May 5th Washington Post in an article by Nicholas von Hoffman. I think it would be useful to share this illuminating article with my colleagues:

SENATOR EBULLIENT AND HIS WISHING WELL JOBS PLAN

(By Nicholas von Hoffman)

Maybe we should put Hubert Humphrey in the White House. He might do less damage there than in the Senate and, as President Humphrey, he would be forced to administer the laws Senator Humphrey is pushing to get passed.

Impeachment or chaos surely lie in wait for the chief executive unlucky enough to oversee the Humphrey-Hawkins Full Employment Act, a measure of such manifest impracticality that its passage will make us wish we were back with LBJ and the Great Society. Still, many prominent Democrats support the bill—and since if you catch Jerry Ford on the right day he'll sign absolutely anything we'd best take a peek at it. Besides, it's a piece of vintage corporate liberalism.

Humphrey is a great one for presidential reports to Congress. In Humphrey-Hawkins Senator Ebullient wants a report every six months which will contain "a full employment and production program, both long and short range." He also wants it to include a lot of other things like "the estimated volume of goods and services, both public and private, required to meet human and national needs, including but not limited to food, fibers . . . energy . . . communication . . . day care facilities . . . artistic and cultural activities. . ."

Does that mean that every six months the President must estimate that we'll need 8,741 oil paintings, 1,705 performances of Swan Lake and 14 new marimba bands? Old Triple H was elected to the Senate first in 1948. By this time he ought to know how to draw up a proper law. Or, if that's not sloppy legislating and he believes all that junk he's got in there, you can see why the term Humphrey-type liberal is a code word for laughter.

Humphrey has never understood that the creation of boards, councils, committees and commissions isn't the same thing as substantial accomplishment. He has another bill in the hopper—that baby is his Balanced Growth and Economic Planning Act, which envisions the establishment of the following entities: the Economic Planning Board, the Division of Economic Information, the Council on Economic Planning, the Advisory Committee on Economic Planning and the Division of Balanced Growth. The texts of the bills the man writes are a parody of himself.

Balanced Growth is nothing next to Humphrey-Hawkins. It tackles the problem of joblessness by mandating that the United States Employment Service change its name to the United States Full Employment Service. That ought to do the job; but if it doesn't, this bill creates a national network of things called "local planning councils," "community public service works reservoirs" and "Job Guarantee Offices," each with its own "Job Guarantee Officer." There is also a beast called the "Standby Job Corps," after which comes a "National Institute for Full Employment" as well as a "National Commission on Full Employment." Staff salaries and per diem expenses for the consultants and advisors are spelled out in some detail, although nothing else is.

Triple H may be more clever than we give him credit for. He may have figured out that he can achieve full employment simply by hiring the entire surplus labor supply into the empty civil service slots he's created.

The bill literally says the government owes everybody a job who's "willing and able" which is defined to mean any human being who can crawl, roll, stumble or crash into a "Full Employment Office." No one is to be excluded by reason of "impairments of sight, hearing, movement coordination, mental retardation or other handicaps."

In reality this is another name-switch. Since the bill empowers the government to create any number of jobs by fiat, what will happen is that everyone on every form of welfare will be transferred or "hired" into fictitious jobs. They won't be doing any more productive work than they're doing now, the costs for this charade will be much higher than the present programs, but Humphrey will be able to say he's solved both the unemployment and welfare problems. For a nation that has Ronald Reagan and is unable to understand that creating real jobs and training people to fill them is much more costly than welfare, perhaps the extra billions Humphrey-Hawkins will cost are worth it.

Still, it isn't a full employment program; it's a bill to disguise unemployment, to hide it from ourselves, and as such it exemplifies the liberals' terror at going after root problems, at the structural difficulties that make it impossible for us to put all of our people to work.

Not only does Humphrey-Hawkins hide unemployment instead of curing it, but it also weakens our business system at great peril to the economy. By permitting the government to pay the salaries of workers in private business it invites corruption, declining productivity and subsidizing dying, inefficient, unneeded firms that should be allowed to go under.

The measure's inflationary possibilities are so vast even Senator Ebullient is aware of them. And how does he solve that problem? He just includes a clause ordering the executive branch not to let it happen. Why not? The bill also orders "job satisfaction for workers, consumer satisfaction for customers" and, naturally, help for the small businessman. Any technical problems concerning execution of the legislation are to be taken care of by hiring academics to make studies. This legislation reads as though it were drafted by the editorial board of The National Lampoon.

But don't be too hard on Senator Ebullient. He may have been hanging around Capitol Hill for nigh onto 30 years but he doesn't understand that the Senate is a legislative body. He thinks it's a wishing well.

#### DON'T BREATHE ON THE JOB

#### HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. HELSTOSKI. Mr. Speaker, the May 22 edition of the Nation contains a dramatic article by Steve Solomon and Willard Randall on the health hazards faced by millions of American working men and women.

We have come a long way since the enactment of the Occupational Health and Safety Act of 1970—which our distinguished colleague from New Jersey, DOMINICK V. DANIELS, championed so vigorously. It was largely through his untiring efforts that this landmark legislation became the law of the land.

In the 6 years that have followed the enactment of OSHA, it has become increasingly apparent that much more remains to be done to protect American workers against the insidious health hazards they face on the job.

One hundred thousand American workers will die this year as a result of occupational diseases. There is now compelling evidence that up to 90 percent of all cancers are environmentally linked. The tie-in between exposure to toxic chemicals in the workplace and the incidence of occupational carcinogenesis has already been established.

Congressman DANIELS has repeatedly spoken out on the need to adopt effective toxic substances control legislation as the necessary complement to the Occupational Safety and Health Act. The premarket testing provisions of the bill that has been introduced by Congressman ECKHARDT would help to insure that American working men and women are not unwittingly exposed to carcinogenic, mutagenic, or teratogenic agents in the workplace.

I commend the article from the Nation to the attention of all of my colleagues who are concerned about the shocking toll of occupational disease.

Mr. Speaker, the article from the Nation is included at this point:

#### DON'T BREATHE ON THE JOB

(By Stephen D. Solomon and Willard S. Randall)

Robert Pontious mixed chemicals for sixteen years at the sprawling Rohm and Haas chemical works in Philadelphia before de-



veloping lung cancer at the age of 43. Several months before his death in October 1972, Pontious told his doctor the shocking news that thirteen of his buddies had died of lung cancer after similar exposure to bis-chloromethyl ether (BCME), used in the production of water-purifying ion exchange resins. By now the count of deaths attributed to BCME at Rohm and Haas and other plants in the United States and abroad has gone far beyond that number.

The release of chemicals into the environment has become a serious public health problem. "Workers today are like the miners' canaries that were an advance warning system for poisonous gases in the mines," says Sandy Stephenson, an aide to Rep. Dominick Daniels (D., N.J.) The U.S. Department of Health, Education, and Welfare has estimated that at least 100,000 workers die each year from occupational diseases, many of which are caused by chemicals such as BCME, vinyl chloride, asbestos and kepone. But if the miners had the good sense to evacuate the shafts when the canaries began dying, Congress and the public have ignored the warning signs.\*

As a result, 60 to 90 per cent of the more than 365,000 Americans expected to die of cancer this year will have contracted the disease from environmental factors, including cigarette smoke and industrial chemicals, according to the National Cancer Institute. And the American Cancer Society estimates that one out of four Americans alive today will ultimately develop some form of cancer. Many more will die or be seriously disabled by chemicals which attack the nervous system, the lungs and other organs.

The Occupational Safety and Health Act of 1970 gives the federal government power to control occupational exposure to dangerous chemicals once they are on the market, but with the exception of pesticides, drugs and food additives, the government has no authority to require testing of chemicals before they are manufactured and distributed. That oversight makes workers and the general population a testing medium for the more than 500 new chemical compounds introduced each year and the 2,000 existing chemicals which HEW believes can produce carcinogenic or other toxic effects.

Having failed in 1972 and 1974 to enact legislation, Congress is again considering a Toxic Substances Control Act that would require manufacturers to test new chemicals before introducing them; it would give the Environmental Protection Agency authority to ban or restrict the use of chemicals which the tests showed to be dangerous. Although Russell Peterson, chairman of the Council on Environmental Quality, says the legislation "would have discovered the carcinogenicity of both chemicals (BCME and vinyl chloride) before they were introduced," thereby saving lives, it is threatened with defeat for a third time by intense chemical industry lobbying that has concentrated on the economic impact of new federal regulations.

Opportunistically, industry focused on costs just as the nation was slipping into its economic recession. The Manufacturing Chemists Association (MCA), the industry's powerful trade group, inaugurated a year of doomsaying in December 1974 by warning EPA that the proposed legislation "will destroy the industry's competitive position in world markets at a time when its contribution is needed to maintain the economic strength of our country." In April, Earle Barnes, president of Dow Chemical Company, told a Senate subcommittee chaired by Sen. John Tunney (D., Calif.), the major

sponsor of the bill, that his proposal would cost the industry a catastrophic \$2 billion a year and cast 6,500 workers into the already crowded unemployment pool. MCA was back on Capitol Hill in July, passing out copies of its own study which warned of \$1.3 billion in new costs and a loss of up to 20,000 jobs. Tough legislation, MCA President William Driver concluded, "presents horrendous cost implications to our civilization."

Industry's apocalyptic language and cost figures have not gone unchallenged. EPA estimates an annual cost at just \$80 million to \$140 million—not overwhelming for an industry that had profits after taxes of about \$5.5 billion in 1974. And in a report released on October 21, 1975, the General Accounting Office dismissed the Dow study as "unsophisticated" and said the MCA study had "several important defects." GAO projected the likely cost of the legislation at a modest \$100 million to \$200 million a year. When he attempted to look further into the discrepancies, Senator Tunney was told by MCA that the information on which it based its cost figures was confidential.

To drive home its points, the chemical industry has staged a massive letter-writing campaign to Congressional offices, and has sponsored working breakfasts for entire state delegations. Last December, Dow President Barnes, who opposes any federal controls, wrote twenty-one of his top subordinates that he wanted "to encourage the broadest and strongest possible grass-roots political action campaign in opposition to Toxic Substances legislation." Barnes enclosed a thick packet of information, including canned sentences and paragraphs, to stimulate employee letter writing. Since then Dow employees have flooded Congressional offices with letters opposing the bill, including a typewritten form letter from one worker who, at the bottom, scribbled a message of support for the legislation and told Sen. Philip Hart (D., Mich.) that "my company here in Midland encourages me to send these form letters to my Representatives."

Most of industry has been backing a weak version of the bill, sponsored by Rep. John Y. McCollister (R., Neb.), in an attempt to head off Tunney's tough measure. McCollister would require manufacturers to test only those new chemicals which EPA lists in advance as likely to pose a substantial danger to health or the environment—an unworkable approach built on some presumed psychic ability of EPA to inventory dangerous chemicals even before their invention. Tunney also uses a list but adds an important and controversial safeguard: companies would have to notify EPA ninety days before manufacturing unlisted chemicals, and EPA could require testing of those as well.

The Ford administration supported the McCollister bill in the last Congress, where both versions died in a conference committee that was so hopelessly deadlocked that it met only four times in more than a year. But in the early summer of 1975, as evidence of chemically induced cancer mounted, the administration reversed itself and endorsed Tunney's measure. John Quarles, EPA deputy administrator, told a House subcommittee on July 10 that McCollister's provision requiring EPA to publish a list of dangerous chemicals in advance was "the single most offensive feature of any of the bills under consideration." Without a notification provision, he said, many dangerous chemicals were likely to slip undetected into production.

McCollister wrote to James Lynn, director of the Office of Management and Budget, complaining about the administration's shift of position. He could count on Lynn's help: as general counsel of the Department of Commerce in 1970 and 1971, Lynn had weakened the original version of the bill before it was sent to Capitol Hill as part of

President Nixon's environmental program. Now he eagerly took McCollister's complaint to the White House—as did the chemical lobbyists. On October 15, twenty-one chemical company executives met with White House officials. Their spokesman, James Affleck, president of American Cyanamid, complained that Tunney's bill "would impose an unnecessary and unacceptable burden on our industry and on the economy in general." Less than a month later, without mentioning any new circumstances which would warrant a change of position, Lynn wrote to McCollister that the administration had reconsidered and would again support his bill.

The Senate passed its tough version on March 26 by a 60 to 13 vote, and a House subcommittee for the first time has cast aside the weak McCollister bill and reported a version similar to Senator Tunney's. Its opponents are now working to delay consideration of the bill by the full House Interstate and Foreign Commerce Committee beyond May 15, since the 1974 Budget Act requires that legislation authorizing new spending be reported to the House floor by that date or forego appropriations for the coming year.

Rep. Harley Staggers (D., W.Va.), chairman of the committee, has decided to clear routine appropriation bills from his committee calendar before tackling toxic substances. It's doubtful that he'll meet the May 15th deadline; he's been unable even to gain a quorum for most committee sessions.

Despite the heavy lobbying, the frightening repetition of chemical tragedies may propel legislation to passage this year. The B. F. Goodrich Company reported in March that it was investigating a high incidence of leukemia deaths among rubber workers at its Port Neches, Texas plant. It may turn out that these, like thousands of other chemical deaths, could have been prevented by the law that is still idling its way through Congress.

## EMINENT SCIENTIST ADVOCATES NUCLEAR POWER

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. TEAGUE. Mr. Speaker, Dr. Edward Teller is one of the most eminent scientists in this country. He has been heavily involved in the development of the peaceful uses of nuclear energy, including the effort to harness the power of the Sun—controlled thermonuclear fusion—to serve mankind.

Dr. Teller's adopted State is California. He has for many years done work at the Lawrence Livermore Laboratories where he had originated a number of innovative ideas for developing new energy technologies.

Dr. Teller has been greatly concerned about an issue which appears on the California ballot on June 8—proposition 15—which would have the effect of denying nuclear power to the citizens of California. Related to the controversy over this initiative, the Los Angeles Times recently published an article implying that nuclear reactors are not safe. A reply to this article by Dr. Teller has come to my attention, and I should like to share his scholarly analysis with my colleagues in the House.

\*For a broad survey of carcinogens in current use by industry, see "Getting Cancer on the Job" by Larry Agran, *The Nation*, April 12, 1975.

Dr. Teller's remarks follow:

INFORMATION OR SENSATION

On the 9th of April, George Alexander of the Los Angeles Times published a long article entitled, "A-Plants: What are Odds for Disaster?" The article was written to influence the vote on June 8 on California's Proposition 13. Proponents claim that this proposition intends to make reactors safe. Opponents of the proposition know that the aim is to shut down nuclear reactors in California and eventually, throughout the nation. Further sharp increases in electricity bills that would follow the passage of Proposition 13 and the fact that retention or abolition of nuclear reactors would tend to cancel or double our oil imports are powerful arguments. Safety, however, is paramount. A conservative, scholarly study carried out at the Massachusetts Institute of Technology is most reassuring. But Mr. Alexander takes a more sensational approach.

His article is a classic case of editorializing, by means of presenting facts carefully ordered and selected. After a few introductory words, the first shot is fired on page one: "Nuclear critics are convinced that there is a flaw gestating somewhere in the myriad pumps, valves, relays, switches, plumbing lines and electric cables of a large modern nuclear plant and that, inevitably, it will be born as a failure." The author promptly continues: "And what a failure it will be . . . as true disbelievers of nuclear safety, the opponents of nuclear power envision a maelstrom of scalding steam, explosive gases, and all erupting from a domed plant like some sort of a man-made volcano and spewing its radioactive ashes over a wide area."

An imagined disaster is explained by diagrams. The pictures give the impression of reality, though the occurrences depicted had been carefully calculated to be so improbable that most people would be inclined to dismiss any worry, should they understand the issues and the details.

But, of course, Mr. Alexander gives the impression of being evenhanded. On page three, long after the average reader's interest has flagged, he quotes an official of the Nuclear Regulatory Commission: "All of the safeguards designed into a reactor plant would thwart either single or multiple failures."

This brief and dry rebuttal is, however, not permitted to stand. Mr. Alexander immediately continues, "These assurances might be more comforting were it not for incidents such as those which occurred last year at the Tennessee Valley Authority's Brown Ferry nuclear plant. . . ." A long, detailed story is given of the actual course of events to which are added flights of imagination of what might have happened. The engineering details given will be understood by less than one percent of the readers. The rest of the public will be just frightened. Is this happenstance, clumsiness or intention?

Here, in brief, are the facts: The accident on March 22, 1975 was due to human error. Such errors will indeed occur from time to time.

The accident caused a financial loss of more than a hundred million dollars. This makes it certain that a similar error, or one related to it, never will occur again.

In spite of this great loss, not a single human being, outside the plant or inside the plant, was injured. This was due to multiple safeguards on which both the government and the utilities insist.

The last two important points Mr. Alexander has neglected to mention.

No one was even endangered. The reason is that all changes in the reactor occurred slowly enough so that in addition to built-in safeguards, proper precautions could be taken. (Mr. Alexander describes these precautions as "jury-rigged.")

Mr. Alexander does mention on page 24

(long after the interest of the reader has evaporated or has boiled off in a vividly described but imaginary "meltdown" accident) the conscientious report of Dr. Norman C. Rasmussen of the Massachusetts Institute of Technology, one of the few people who really knows his way in the complex field of reactors and who can answer the question of how these reactors might misbehave. But even after Rasmussen is mentioned, the reader must plough through many paragraphs before he finds the relevant statement: "The probability of a reactor malfunctioning and killing 100 or more people (is) one in 100,000 years compared to the probability of an airplane crash (1 in 2 years), fire (1 in 7 years), a tornado or a hurricane (1 in 5 years) or an earthquake (1 in 20 years)."

The most glaring omission in Mr. Alexander's article is the actual health safety record of 57 American industrial reactors. So far, over a number of years, the number of injuries due to nuclear causes is: none.

Can this unparalleled safety record be maintained? To answer the question we must inquire into how such safety was accomplished. The answer: through multiple safeguards.

If a single safeguard fails we have an incident or an accident and money is lost. People are not hurt in their bodies. They are hurt, and indeed are badly hurt, in their pocketbooks. (Yet nuclear electricity remains the least expensive in an economy haunted by inflation.) Thus, painful financial losses force our utilities to become even more safe. Since this tradition which we have established will be continued there is a reasonable expectation that a major accident will never occur.

If Mr. Alexander and many thousands of active alarmists succeed and Proposition 13 is passed in California, there will be no reactors in America. There will be less safe reactors abroad and the world will be even more troubled and even more dangerous than it is today. We shall have taken a long step away from progress and economic stability and toward the treacherous refuge of isolationism.

Proposition 13 may become the beginning of the end of American energy-independence. The issue is: California today; the United States tomorrow.

## WORLD WAR I VETERANS

### HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. YOUNG of Florida. Mr. Speaker, the House Veterans' Affairs Subcommittee on Compensation and Pension recently held hearings on World War I Veterans' pensions, and I had the opportunity to present testimony on behalf of H.R. 1220, my bill to establish an unrestricted service pension program for World War I and Mexican Border Veterans. I feel this legislation is of special importance and would, therefore, like to present my testimony to my colleagues and urge them to support this long-overdue legislation:

#### REMARKS BY HON. C. W. BILL YOUNG

Mr. Chairman, I appreciate having the opportunity to testify before your Subcommittee on Compensation and Pension on H.R. 1220, my bill to extend the existing unrestricted pension program for Spanish-American War Veterans to include World War I and Mexican Border Veterans and their survivors, and to increase the monthly pension rates under the expanded unrestricted pension program.

As I have twice before testified before this Subcommittee on legislation of this nature, World War I and Mexican Border Veterans and their families are in dire need of such a program. With their advancing age and often deteriorating health, these individuals face special expenses and problems. The hundreds of letters I have received from such veterans residing in the Sixth Congressional District vividly depict the urgent need to establish an unrestricted service pension program similar to that in effect for Spanish-American War Veterans.

Over the past years, Congress has taken some positive steps toward ensuring that our veterans are properly cared for in the way of pensions and benefits. However, in recognition of their service and advancing age, the need to approve a general service pension program for World War I and Mexican Border Veterans has gone from urgent to critical. The time is long past due for us to take the necessary action to ensure that these veterans and their families are provided with adequate pensions—without regard to outside income—so that they may maintain their dignity and respect during their remaining years.

Mr. Chairman, I think the facts before us are compelling. World War I and Mexican Border Veterans served as valiantly as any others in our history, but with advancing age, their number continue to decline. A general service pension program such as provided for Spanish-American War Veterans will have a significant impact upon their already meager incomes.

I believe America has a responsibility to show its gratitude to the veterans of this era, but time is of the essence. These veterans and their families need the help of the Nation they served so well, but they need it now. Prompt Congressional action on legislation such as I have introduced will at long last demonstrate this Nation's sincere gratitude for the many unselfish sacrifices made by our World War I and Mexican Border Veterans and their families.

## ST. EUSTATIUS ISLAND, YONKERS' SISTER BICENTENNIAL COMMUNITY

### HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. OTTINGER. Mr. Speaker, I wish to bring to the attention of my colleagues what I believe to be a most creative Bicentennial project. It is being undertaken by the city of Yonkers under the superb leadership of Mr. Abe Cohen, chairman of the Yonkers Bicentennial Corp., and Mr. Steve Luchka, chairman of the Mayor's Community Relations Committee. To celebrate our Nation's 200th anniversary, Yonkers has adopted a "sister" Bicentennial community—the island of Saint Eustatius in the Netherlands Windward Islands. I commend this novel approach to celebrating our heritage.

The selection of St. Eustatius is a fitting and proper one, for this 9-square-mile island played a fundamental role in the American drive for independence two centuries ago. Saint Eustatius is in fact the only "foreign" government actively celebrating our Bicentennial.

Little St. Eustatius played a key role in determining the course of American history. Statia, as the island is called by its inhabitants, was the lifeline for ship-



ment of arms, ammunition, gunpowder and other vital supplies from allies in Europe, particularly France, to the struggling army of the American colonies. St. Eustatius is usually given credit for seeing that General Washington's troops were sustained with supplies during the early years of the Revolutionary War.

However, what makes St. Eustatius so symbolically important to the development of this Nation is that it was the site of the first official salute by a foreign country to the United States as a sovereign Nation. On November 16, 1776, a brigantine of the fledgling American Navy sailed into Oranjestad, capital of St. Eustatius, and rendered a 13-gun salute.

I want to salute the dedicated efforts of Mr. Luchka, Mr. Cohen, the Yonkers Kiwanis Club, and other citizens of Yonkers in commemorating our Nation's Bicentennial through recognizing the important role others have played in our own history. I would also like to express appreciation to Mr. Max Pandt, Lieutenant Governor of the Windward Islands, and Mr. James Maduro, Bicentennial chairman of the island, for their dedicated efforts in this laudable project. The exchange program being established between Yonkers and St. Eustatius should prove to be a unique experience for both communities, and the library the Yonkers Bicentennial Corp. recently inaugurated on the island is a most worthwhile and meaningful project. I ask my colleagues to join me in applauding this innovative and commendable Bicentennial program.

#### FEDERAL TAX LAWS HURT SMALL BUSINESS

**HON. JOHN Y. McCOLLISTER**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. McCOLLISTER. Mr. Speaker, Federal tax laws are killing small business. Instead of contributing to the publicly stated goal of strengthening the small business community, our tax laws systematically discriminate against small enterprises and give their big business competitors tax advantages. The last several years have been particularly hard on small business because at the same time the tax laws make it difficult for them to retain earnings for investment in growth, the Government is preempting sources of debt capital and has forced small businesses to bear the brunt of the Nation's capital shortage.

Small business is the key to a strong and productive American economy. Small businesses account for nearly 97 percent of all business firms in this country. They directly create 43 percent of our gross national product. Small firms employ more than half the Nation's private work force and provide, directly or indirectly, for the livelihood of over 100 million Americans.

Nor do these statistics capture the full importance of a healthy small business

community. The competition provided by the small business sector is responsible for honing the efficiency of our multi-million dollar corporate enterprises. Small businesses also lead the way in developing new innovative products and services. Small entrepreneurs produced the Xerox copier, the Polaroid camera, the minicomputer, high-fidelity recordings, frozen foods, wash-and-wear clothing—the list is virtually endless. Small businesses also pioneered such services as containerization, the discount store, the motel, and franchised fast-food service.

Creating new jobs is a prime concern today. And small businesses offer the best avenue for filling that need. Small businesses are labor intensive. Any growth in their sales is translated immediately into new jobs. An 18 percent rise in sales over a recent 4-year period, for example, produced a 6-percent increase in small business employment.

Fully as important as the economic contributions of a strong small business sector is the political significance of small business. Our Nation has grown and prospered because power has been diffused in society, in Government, and in the economy. Concentrations of power in big Government are the source of legitimate public concern. So too are concentrations of power in the hands of big business—and through corporations, concentration of power in big labor.

Small businesses diffuse economic power. They guarantee economic and social mobility. Successful small entrepreneurs, rather than salaried corporate executives, are generally the dynamos behind philanthropic and educational endeavors. Small businesses are a seedbed of locally involved citizens who sustain our sense of community.

While the specific contributions of small business are rarely laid out at length, the concept of a strong small business community enjoys nearly universal acceptance. The Congress has time and time again talked about helping and protecting small business. But it has been nearly all talk—no action. In fact, the constant addition of more and more Government regulations combined with insensitive tax laws have put small businesses at more and more of a serious competitive disadvantage.

If our national policy is to promote small business, that policy is failing. In 1960, small and medium sized manufacturing businesses accounted for 50 percent of the industry's assets. By 1972, small businesses owned only 33 percent of manufacturing assets. In 1953, 15 percent of the Nation's gross private domestic investment was invested in small, nonfarm, noncorporate businesses. By 1973, the small business percentage of gross private domestic investment had been halved to 7.5 percent.

The Federal Government has contributed to this process of suppressing small business growth. Insensitive big Government programs pile more and more paperwork burden on small businessmen and health and safety and pollution abatement programs have required expensive capital improvements which have absorbed capital which small businesses need to increase their production.

The Congress just does not seem to recognize that most small businessmen wear so many hats their necks are starting to ache. They are employers, taxpayers, administrators, buyers, advertising executives, psychologists, accountants, and "experts" in a variety of fields like race relations and occupational safety and health. Small businessmen cannot afford to hire outside experts to fill out their Federal forms nor can their businesses absorb the lost time and production which the small business owner typically contributes.

Perhaps the most devastating form which Federal antismall business discrimination takes is found in the tax code. The complexity of the code itself overwhelms small businessmen who lack trained legal and accounting departments and can ill afford to hire high priced consultants. In the area of the code's capital recovery provisions, for example, small businesses typically utilize straight-line depreciation because they cannot afford the time or just plain cannot figure out how to use the more complex capital recovery devices which could give them a better tax situation. Large corporations, of course, are able to utilize the more complicated provisions and, as a result, pay lower effective tax rates than small businesses. As a class, the 100 largest corporations pay an effective tax rate between 25 and 30 percent while small businesses pay an effective rate up to 50 percent. Two years ago, a congressional study of corporate tax rates found that the Nation's largest 143 corporations paid an average tax rate of 23.4 percent. The average rate for all corporations was 33.4 percent.

Small businessmen stand at the end of the line when it comes to borrowing money at the bank. First, the Federal Government takes all it needs to pay for its deficit—about 82 percent of the total available investment capital this year, for example. Next are State and local governments. Then the regulated industries, with virtually guaranteed profit margins. Then the giant corporation. And, bringing up the rear, the small businessman.

Small businesses are also virtually denied the option of selling stock or equity interest in their companies as a means of raising capital. In 1974, only nine small companies were able to float a stock issue. And, for the first half of 1975, not a single small business sold stock.

Thus, small businesses are shut out of three of the four ways of raising investment capital they need. They find it difficult to borrow, harder still to sell stock, and the complexities of the tax law make it difficult for small businesses to recover capital they have already invested. If small businesses are going to get the modernization and expansion capital they need to grow and create new jobs, they will need to get that money from profit.

The heavier tax burden of smaller companies frustrates this need. So do antiquated estate and gift tax laws. Small businesses are also hurt by the code of provisions affecting unincorporated businesses. Only 16 percent of U.S. businesses are incorporated. The rest are partner-

ships and sole proprietorships and they pay taxes as individuals.

Correcting these tax inequities which unfairly burden smaller businesses and frustrate our announced policy of strengthening small business, must be an urgent priority for the Congress.

For these reasons, I have joined as a cosponsor of the Small Business Growth and Job Incentive Act of 1976. Many of the provisions of this major tax reform bill are of a technical nature. Highlights of the bill include: a graduated corporate income tax, a deferred tax credit for unincorporated businesses, an optional cash accounting basis, a graduated investment tax credit, upwards revision of the estate and gift tax exemptions with alterations of the graduated rates of these taxes to better protect small businesses against liquidation upon the death of the owner, revision of the securities law to promote small business stock issues, and a job creation tax credit for small business. The job creation tax credit would grant a company employing two new full-time employees a tax credit up to \$20,000. A company hiring as many as 23 full-time employees from disadvantaged groups—including the long-term unemployed—could receive an additional tax credit up to \$60,000.

As the saying goes:

If you're not part of the solution, you're part of the problem.

The Federal Government's tax policies are part of the problem facing small businessmen today. And, that means our Federal tax policies are part of the general economic problem facing the country. I urge the Ways and Means Committee to give these recommendations their serious attention at the earliest possible moment. Together they represent a golden opportunity to replace the empty talk about helping small business with substantial and constructive action.

#### OTTAWA TIMES BACKS ENERGY CONSERVATION

HON. TIM L. HALL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. HALL. Mr. Speaker, the Ottawa, Ill., Daily Times has published an excellent editorial on ERDA's newly announced commitment to energy conservation. In my view ERDA acted wisely in singling out "conservation" for increased attention in its undated National Plan for Energy Research, Development, and Demonstration. I commend the editorial from the May 10 issue of the Daily Times to the attention of my colleagues.

The editorial follows:

#### NATION NEEDS ERDA PROGRAM

Although our national energy policy remains a rather vague set of goals, the government now appears ready to move with vigor into an energy conservation program. The recent announcement by the Energy Research and Development Administration that con-

servation will henceforth get the "highest priority" seems to confirm that efforts to develop new domestic fuel supplies are not going to do enough to solve our energy problems.

The rate of energy consumption in the United States—particularly the use of oil—should tell us as much. Oil consumption which had been running at 16.7 million barrels a day dropped sharply after the Arab embargo of 1973-74 and the steep increase in price by the Organization of Petroleum Exporting Countries. However, it has now climbed back up and exceeds the 1973 rate. Our oil demand is now at 17.7 million barrels a day, and we are relying more on imports to satisfy that demand than we were in 1973.

With Congress rejecting the administration's plan for a quick phase-out of controls on domestic oil prices, thus holding down other petroleum products, price is having only a limited effect as an inducement to fuel conservation. While rising utility bills have jarred many Americans into being more mindful of energy consumption in their homes and businesses, ERDA is now convinced that there is much more to be accomplished through conservation programs on a broad scale.

Federal Energy Administrator Frank Zarb is warning that another Arab oil embargo is a "real possibility," and would have a more severe effect on our economy than any in the past. Vice President Nelson Rockefeller has predicted that our balance of payments deficit will reach the crisis point if we do not hold back the growth in oil imports now running at \$60 billion a year.

ERDA figures that Americans could cut their oil consumption by as much as one-half by 1985. The agency conservation plan, yet to be unveiled, apparently will call for both investment and sacrifice to achieve greater efficiency and less waste in the myriad ways that we use energy. The impact could range from architectural features of new buildings to the disappearance of pilot lights in gas stoves.

It has been tempting to hope that new oil and gas discoveries or exotic new energy sources would arrive in time to sustain the energy-consumption habits which are woven deeply into American life. By the end of the 20th Century, according to ERDA's projections, there likely will be new energy technologies to relieve our dependence on fossil fuels. For the next 25 years, however, that will not be the case, and the nation must now confront the problem of keeping its appetite for energy in balance with a limited means of satisfying it.

#### REPRESENTATIVE KEMP INTRODUCES LEGISLATION TO GIVE PROPERTY OWNERS RELIEF FROM SHORELINE EROSION

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. KEMP. Mr. Speaker, I have today introduced legislation to allow property owners to deduct losses caused by shoreline erosion from their Federal income taxes. This legislation is of great importance to those who live along areas adjacent to the Great Lakes, our oceans, seas, gulfs, sounds, bays, and inlets,

areas where beach erosion is often a severe problem.

Frankly, I wish there were other ways in which to deal with this menacing problem of shoreline erosion, but the experiences of the past several years have convinced me that anything more than a minimally acceptable Federal commitment to shoreline erosion damage relief is unlikely in the near future.

It took years to win the passage of a shoreline erosion control demonstration program, but it looks like it will probably take us many more years to attain the goals of that act. Federal participation in shoreline erosion control programs started in 1946—30 years ago—but in the words of a recent, major study by the General Accounting Office, Congress investigating arm, these efforts have been "irregular and incomplete."

I am now of the mind that if the administration is not going to ask for the funds to sustain a fuller commitment in this subject area and if the Congress is not going to appropriate enough funds for such a commitment—and as a Member who has worked to hold the level of Federal spending I know both that there is not enough money to meet all our needs and that one person's priorities are not necessarily those of another or of the majority's—then maybe the way to go about this problem of helping property owners along our shorelines is at least to provide after-the-loss tax relief for actual damage suffered. This is the premise which underlies the introduction of today's bill.

This new approach will avoid the six roadblocks in the shoreline erosion control efforts pinpointed by the GAO study: First, the inability or reluctance of Federal, State, and local agencies to provide the necessary funds; second, the requirement that public access be provided to beaches developed or improved with Federal funds; third, the inability to agree on the Federal financial participation rate; fourth, the inability to locate suitable sand and other source materials necessary for beach restoration projects; fifth, the State laws and local requirements which conflict with Federal requirements; and sixth, the changes in environmental conditions which lessen the public's sense of urgency for project implementation.

I will continue my efforts to secure a greater Federal commitment, while at the same time pursuing the enactment of the new bill. It simply makes infinitely greater sense to stop damage than to give tax relief after the damage has occurred. But until that greater Federal commitment can become a reality, I think the tax relief bill will help the property owners who have suffered losses. It will give them more of the financial means necessary to restore their land and homes. And these losses are often severe.

I know personally of the tragic damage which has been caused to both personal property and to the environment by shoreline erosion from the onsite inspections of damaged areas along the Great Lakes and from the conversations and correspondence I have had with



property owners along Lake Erie. I have seen instances where property in which entire life savings have been invested simply washed away. A single storm which battered the southern shore of Erie County in 1973 caused an estimated \$1 million in property damage, and there have been severe storms since then.

Homes are jeopardized and sometimes totally lost, and these are not always the "second" or "weekend" homes of the well to do. They are more often the sole residences of families which have placed the bulk of all their personal earnings into their equity and furnishings.

Commercial and industrial facilities, ranging from manufacturing plants to marinas, are damaged and, in some instances, must be abandoned or relocated.

Public service facilities and structures—such as roads, storm and sanitary sewers, utilities—are damaged or destroyed.

Economically vital sections of real estate are wholly or partially abandoned to the elements, causing distresses and turmoil in local economies.

Important recreational and park areas are lost or severely damaged.

Pollution occasioned by silt is worsened.

And, because of inadequate Federal assistance and disaster relief coverage, local government is called upon to bear costs far exceeding its normal taxing capacity.

Recognition of the old adage that "man's eternal proclivity is to build upon the flood plains" does not, however, remove from Government an obligation to protect life and property against the ravages of nature, when man has built on such flood plains because they are the most practical and viable places on which to build, to live, to work, and to play.

It has been an American tradition, going back to the earliest days of the Republic, for Government to participate in meeting the costs of works of improvement—public works of genuine need—essential to the preservation of life and property and to the facilitation of commerce among the States. Government has built flood control works, erosion control structures, channelization levies, dikes—all in an effort to retard flooding water, to lessen damage to life or property, and to alleviate the sufferings which arise from such natural disasters as floods, storms, and so forth. Federal participation in beach erosion control is consistent with that tradition.

As I indicated a moment ago, Federal progress in controlling beach and shoreline erosion has been slow. Of a total of 64 projects authorized since 1946 on the Federal level, only 20 have been completed. The average time to complete the 20 projects or project segments has been about 10 years from the date of the local request. These delays in scheduling and completing Federal projects have resulted in increased construction costs, the loss of additional shoreline properties, the need for projects to be restudied—which means even more delay, and the need for the construction of temporary measures—which means even more cost.

Under the leadership of the Committee on Public Works and Transportation, Congress began in 1973 a major need ef-

fort to deal with beach and shoreline erosion. The committee included in its Water Resources Act of that year a provision, section 54, to authorize a shoreline erosion control demonstration program. Having passed the House and Senate, it was signed into law, Public Law 93-251, on March 7, 1974, as the Shoreline Erosion Control Demonstration Act of 1974. But the major, new commitment which many of us foresaw did not occur. The administration did not request any supplemental fiscal year 1974 funding, nor any fiscal year 1975 funding, although \$100,000 was reprogrammed to finance the initial activities of the Shoreline Erosion Advisory Panel, a panel authorized by the 1974 act.

I think the most salient comment about the implementation of this act was that of Maj. Gen. J. W. Morris, the Chief of Engineers for the U.S. Army Corps of Engineers, when he said last summer in a letter to me:

Until funds for planning, design, construction, operation, maintenance, monitoring, reporting on the demonstration projects are available, the goals of the Act remain elusive.

There has been but little improvement since then. Funding was not requested by the administration for fiscal year 1976, but the Congress had the foresight to increase the zero-funding for the program to \$320,000. The administration has requested \$200,000 for fiscal year 1977, but I hope the Subcommittees on Public Works and the Committees on Appropriations exert their influences to assure funding greater than this amount.

In testifying before the Subcommittee on Public Works of the House Committee on April 1 of this year, I made such a plea for additional funding for this program:

The Administration has taken an across-the-board, blanket position in the proposed budget against any new construction starts in FY 77. This enabled the Administration to more effectively hold the line on the growth in spending, an effort for which they should receive our praise and our general support. I personally do not have any qualm about supporting reductions in general in our spending, but the Administration's action goes beyond this.

By taking a blanket position against any new construction starts for a full year, the Administration has failed to consider, at least on a case by case basis, the loss of life and property and the additional high costs to the government in the form of disaster relief and assistance caused by failing to have structures in place. In an effort to reduce the budget in one area, we may be running a very high risk of increasing it even more in others. What we save on Corps construction, we may forfeit on disaster assistance, and not building structures will certainly not improve the weather. And even if were a dollar-for-dollar tradeoff in appropriations between construction starts on one hand and disaster assistance on the other, it does not take into consideration the hardships inflicted upon the people by failing to provide adequately for their protection.

I think, therefore, that the Congress is obligated to consider on a case-by-case basis exactly where severe conditions warrant construction starts in FY 77.

Unless one has seen the results of beach erosion, both gradual and storm-caused, it is hard to imagine the substantial damage that it can create. I have seen entire areas of beaches washed away—homes and roads un-

dercut and falling into the water, shoreline businesses closed and jobs lost. There are areas of persistent beach erosion in Erie County, and I have been working with the residents and businesses along the water in trying to obtain Federal, State, and local assistance and in devising various "self-help" measures. But, again, it is obvious to me that putting money into stopping or substantially reducing this erosion is more cost-effective than the damage assistance relief which is usually always necessary.

I hope the Subcommittee sends a clear message to the Administration that more is needed to stop this form of natural disaster.

We will not have the report of the Subcommittee on Public Works available until later this month, but I am hopeful that they have provided more than the administration request.

I am firmly committed to a substantial beach erosion control program. It certainly makes much more sense to me to put our funds into such programs as this, instead of into many of the programs now funded by the Federal Government. It is certainly better to have public works projects—which leave a permanent, physical improvement in the community and for which there is a real market demand for the work to be performed and the jobs to be created by its construction—than to spend the same amount of money on make-work public service jobs—which leave no permanent, physical improvements and which contribute little, if nothing, to labor productivity in the marketplace.

Until such time, however, I think the Congress should put into place the proposal embodied in today's bill. It is a stopgap measure, but it is much better to have it in place than no measure at all. That bill would permit a deduction of loss from shoreline erosion in excess of \$500 in each tax year, with shoreline erosion defined as erosion by the waters of any of the Great Lakes or Lake St. Clair if the waters of the lake are above the average monthly level for the period of record and by the waters of any ocean, sea, gulf, sound, bay, or inlet adjacent thereto if the loss is directly attributable to erosion caused by a single storm or a series of storms during the tax year.

I hope the Committee on Ways and Means, to which the bill has been referred, will act expeditiously on this measure. It would be very helpful to have this bill in the law books before the winter storms start.

JUDGE WALTER S. BINNS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES  
Thursday, May 20, 1976

Mr. ANDERSON of California. Mr. Speaker, the men and women who sit as judges in our judicial system occupy unique places in our society. They are keystones of the legal system, who in many cases could earn a substantially greater income by working privately in the field of law. Instead, they have chosen to serve society as members of

the bench, and in doing so assume awesome responsibilities and duties.

In many cases, our justices have also become familiar and respected members of the communities which they serve. One such man is the Honorable Walter S. Binns, a judge of Los Angeles Municipal Court in San Pedro, Calif.

Judge Binns—or Walt as he is known to his many friends in the harbor area—has provided service and leadership to the community for many years. He attended grammar and high school in San Pedro, and as a longtime resident is a familiar and friendly presence in his hometown. Additionally, he has executed his duties from the bench faithfully and well since 1961, when he first joined the Los Angeles Municipal Court as a justice.

Judge Binns received his bachelor of arts and L.L. B. from Loyola University of Los Angeles in 1936, and was admitted to the bar in 1940. That was an eventful year in Walter Binns' life, for it was also the year he married Peggy McSweeney. Thirty-six years later, Judge Binns and his lovely wife continue to happily share their lives, having raised a beautiful family of seven children.

After working in private practice for a year, Walter Binns entered the Anti-Trust Division of the Department of Justice's Los Angeles office. He joined the U.S. attorney's office in 1943, where he served the Government until returning to private practice in San Pedro in 1947.

Judge Binns was soon called back to public service, however, becoming chief deputy in the Los Angeles office of the U.S. attorney in 1949. From 1951 to 1953 Walt served as the U.S. attorney in Los Angeles.

Walter Binns returned to the private practice of law in 1953, where he practiced his profession successfully until 1961, when he became a member of the bench. Since that time, Judge Binns has been a busy member of the municipal court, Los Angeles Judicial District. He brings to the bench many years of experience in both private and public law, along with a keen sense of justice and fairness for all members of our society. In 1968, he served as the presiding judge of the Los Angeles Municipal Court.

Despite an active professional life and his devotion to his family, Judge Binns has found time to lend his talents in service to his community. For the past 16 years, he has been a member of the San Pedro Boys Club board of directors, and is also on the advisory committee for the Mary Star of the Sea Fiestas, an annual fundraising festival held by one of San Pedro's Roman Catholic parishes.

On June 2, the people of the harbor area will express their affection for Judge Binns at a testimonial dinner. Proceeds from the affair will be donated to a local charity, as the members of the Los Angeles harbor community pay tribute to Judge Walter J. Binns.

My wife, Lee, joins me in congratulating this outstanding member of our community for his outstanding career, and we wish him continued success in the future. His lovely wife, Peggy, and their children, Walter Scott Binns, Jr.,

Evalyn Binkley, William Binns, Alana Maury, George Binns, James Binns, Peggy Binns, must be proud of Judge Walter S. Binns' many accomplishments.

#### JACS VOLUNTEERS OF THE YEAR

### HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. EILBERG. Mr. Speaker, as in every year for the past decade Joint Action in Community Service—JACS—has honored its 5,000 volunteer advisors. These women and men have helped the young men of the Job Corps when they returned home from Job Corps centers.

The task of a JACS advisor is quite varied and often a returning corpsman needs assistance in such areas as locating job placement agencies, legal and health problems, financial and consumer advice, educational and vocational training, et cetera. JACS advisors are all different but they share the common trait of taking time out of their own lives to help others who are trying to make it.

Of the great force of JACS volunteers at work throughout America there are 123 dedicated Philadelphians who gave generously of themselves. They are led by Mr. William Melody, director, and Mr. Erwin Morris, assistant director, of the organization's Mid-Atlantic regional office.

I would like to take this opportunity to salute the JACS Volunteer Advisors of Philadelphia. They are:

JOINT ACTION IN COMMUNITY SERVICE, INC.  
PHILADELPHIA VOLUNTEERS—JACS

Mr. John Adams, 619 Catharine St., Philadelphia, Pa.

Mr. Thomas Anderson, 1900 No. Broad St., Philadelphia, Pa.

Mr. Zeb Austin, 1812 Green Street, Philadelphia, Pa.

Ms. Barbara Austin, 5602 No. Camac St., Philadelphia, Pa.

Ms. Joan Austin, Broad & Berks St., Philadelphia, Pa.

Mr. Sheldon J. Baker, P.O. Box 8796, Philadelphia, Pa.

Mr. James J. Barbiers, East Hector St., Philadelphia, Pa.

Ms. Sharon Barnes, 1200 No. Broad St., Philadelphia, Pa.

Mr. Charles R. Barron, 1251 So. Greylock St., Philadelphia, Pa.

Mr. Charles Benson, 5878 Malvern Ave., Philadelphia, Pa.

Ms. Vera Blair, 4062 Lancaster Ave., Philadelphia, Pa.

Sister Anne Boniface, 1341 So. 46th St., Philadelphia, Pa.

Ms. Bertha Brown, 1645 W. Thompson St., Philadelphia, Pa.

Mr. Julian M. Brown, 1694 Thayer Drive, Norristown, Pa.

Mr. Wayne Brown, 2341 No. 6th St., Philadelphia, Pa.

Ms. Joyce Brunson, 7653 Woolston Ave., Philadelphia, Pa.

Mr. Joel S. Burtman, 260 So. 44th St., Philadelphia, Pa.

Ms. Gale Butcovitz, 2615 No. 2nd St., Philadelphia, Pa.

Ms. Luretha Chavis, 5312 Angora Terrace, Philadelphia, Pa.

Mrs. Beatrice Chernock, 586 City Hall, Philadelphia, Pa.

Mr. Sidney Clark, 240 W. Tulpehocken St., Philadelphia, Pa.

Ms. Anita Cllett, 715 No. 46th St., Philadelphia, Pa.

Mr. John Coats, 2242 No. 16th St., Philadelphia, Pa.

Mr. Peter Cogan, 152 W. Lehigh Ave., Philadelphia, Pa.

Mrs. Joan Cohen, 1422 Chestnut St., Philadelphia, Pa.

Mr. Frank Constant, 1708 No. 22nd St., Philadelphia, Pa.

Mr. Douglas K. Crook, 244 South Street, Philadelphia, Pa.

Ms. Charlie Daggett, 2238 W. Cumberland St., Philadelphia, Pa.

Mr. Ramon Daniels, 1619 W. Stiles St., Philadelphia, Pa.

Mr. Russell Daniel, 1034 E. Washington Lane, Philadelphia, Pa.

Mr. Frank Davis, 2825 No. Broad St., Philadelphia, Pa.

Mr. Harry Devor, 2503 Lombard St., Philadelphia, Pa.

Mr. Sidney Estes, 3512 Brandywine St., Philadelphia, Pa.

Mr. George Eves, Cheyney State College, Cheyney, Pa.

Mr. Jack Facenda, 320 Walnut St., Philadelphia, Pa.

Dr. R. Feinstein, 34 So. 11th St., Philadelphia, Pa.

Ms. Donna Feldman, 249 So. 36th St., Philadelphia, Pa.

Mr. Luiz C. Fernandez, 198 W. Chow Avenue, Philadelphia, Pa.

Mr. Charles Floyd, 623 Catharine St., Philadelphia, Pa.

Ms. Anna Frame, 4201 Ridge Avenue, Philadelphia, Pa.

Mr. Raymond P. Forceno, Broad & Chestnut Sts., Suite 1400, Philadelphia, Pa.

Mr. Ben Gaillard, 1421 Arch Street, Philadelphia, Pa.

Ms. Louise Gilbert, 4235 Chestnut St., Philadelphia, Pa.

Ms. Ruth Gillman, Temple University, Ritter Hall Annex, Philadelphia, Pa.

Mr. Sidney Ginsburg, City Hall, Room 121, Philadelphia, Pa.

Mr. Jim Gray, 2825 No. Broad St., Philadelphia, Pa.

Miss Lois Green, 22nd & Columbia Ave., Philadelphia, Pa.

Mr. William Griffin, 2156 No. 9th St., Philadelphia, Pa.

Mr. Marvin Gordon, 5918 Vine St., Philadelphia, Pa.

Ms. Mary Harris, 1005 W. Arizona St., Philadelphia, Pa.

Ms. Janis Hawes, 34 South 11th St., Philadelphia, Pa.

Mr. Ira Henkin, 1528 Overington St., Philadelphia, Pa.

Ms. Brenda G. Hill, 237 So. 48th St., Philadelphia, Pa.

Mr. George Hill, Jane & Ann Streets, Philadelphia, Pa.

Mr. Marvin C. Hunter, 2427 Natrona St., Philadelphia, Pa.

Ms. Elaine Jackson, 4518 Baltimore Ave., Philadelphia, Pa.

Mr. Tyree Johnson, 400 North Broad St., Philadelphia, Pa.

Mr. William E. Johnson, Jr., 6519 No. 16th St., Philadelphia, Pa.

Mr. John Johnston, 1306 Arch Street, Philadelphia, Pa.

Ms. Rosalind Jones, 1624 W. Oxford St., Philadelphia, Pa.

Mr. John E. Kalix, 125 No. Broad St., Philadelphia, Pa.

Ms. Estelle Kalstein, Temple University, Sullivan Hall, Rm. 300, Philadelphia, Pa.

Ms. Linda D. Klein, 4815 Gransback St., Philadelphia, Pa.



Mr. Charles Lane, 126 W. Chelton Ave., Philadelphia, Pa.  
 Ms. Carol Leadum, 34 So. 11th St., Rm. 720A, Philadelphia, Pa.  
 Mr. Anthony Lewis, 1428 No. Broad St., Philadelphia, Pa.  
 Ms. Rita G. Lighty, 153 No. 57th St., Philadelphia, Pa.  
 Mr. Gilbert Lineberger, 3729 Spring Garden St., Philadelphia, Pa.  
 Ms. Gertrude Little, 2413 W. Edgley St., Philadelphia, Pa.  
 Ms. Claudia Lloyd, 5228 Euclid St., Philadelphia, Pa.  
 Ms. Sheila C. Mann, 5042 Market St., Philadelphia, Pa.  
 Mr. Calixton Marks, 3535 Market St., Rm. 16160, Philadelphia, Pa.  
 Mr. Joseph H. Massa, 225 So. Third St., Philadelphia, Pa.  
 Ms. Dollie E. Marriott, 634 E. Stafford St., Philadelphia, Pa.  
 Mr. Clinton C. Martin, 434 So. 62nd St., Philadelphia, Pa.  
 Mr. Samuel Mattaway, 553 E. Locust St., Philadelphia, Pa.  
 Mrs. Dorothy McLeod, 2437 Master Street, Philadelphia, Pa.  
 Mr. Mike McGee, 401 McIlhemmy St., Philadelphia, Pa.  
 Mr. Warren B. McLaughlin, 8103 Lindbergh Blvd., Philadelphia, Pa.  
 Mr. Fred Meier, Voluntary Action Center, 7 Ben Franklin Parkway, Philadelphia, Pa.  
 Ms. Harriet E. Miller, 1730 No. 15th St., Philadelphia, Pa.  
 Mr. Martin Millison, Temple University, Ritter Hall Annex, Philadelphia, Pa.  
 Mrs. Dolores Mobley, 1221 No. Broad St., Philadelphia, Pa.  
 Mr. Gary Lee Moore, 4426 Parrish Street, Philadelphia, Pa.  
 Mr. Jack Mulvena, Temple University, Ritter Hall Annex, Philadelphia, Pa.  
 Mr. Joe Naughton, 11004 Keswick Road, Philadelphia, Pa.  
 Mr. Eddie Parker, Phila. College of Textiles & Science, Schoolhouse Lane & Henry Ave., Philadelphia, Pa.  
 Mr. Philip Paterno, 1128 South Broad St., Philadelphia, Pa.  
 Ms. Paulette Peters, 5903 Spruce Street, Philadelphia, Pa.  
 Ms. Lila R. Philson, 1422 No. 52nd St., P.O. Box 9608, Philadelphia, Pa.  
 Mr. Ronald T. Purnell, 2527 No. Gratz St., Philadelphia, Pa.  
 Mrs. Marianne B. Reeves, 6449 No. 15th Street, Philadelphia, Pa.  
 Ms. Rosemary Richardson, 213 So. Millick St., Philadelphia, Pa.  
 Ms. Jane Scott, 1900 No. Broad St., Philadelphia, Pa.  
 Mr. John Sennott, Hawthorn Center, Broad & Christian Sts., Philadelphia, Pa.  
 Ms. Marcia Sessoms, 910 Sharpnack St., Philadelphia, Pa.  
 Mr. John G. Simmons, 230 No. Broad St., Philadelphia, Pa.  
 Mr. Lonnie Small, 933 No. Broad St., Philadelphia, Pa.  
 Ms. Barbara Smith, 627 No. Broad St., Philadelphia, Pa.  
 Mr. Dennis R. Smith, 462 E. Walnut Lane, Philadelphia, Pa.  
 Mr. Frank Sofranko, Work Adjustment Center, Wayne & Windrim Aves., Philadelphia, Pa.  
 Mr. Anthony Stellar, 1421 Arch Street, Philadelphia, Pa.  
 Mr. Louis Tatum, 1200 No. Broad Street, Philadelphia, Pa.  
 Ms. Shelly Teagle, 518 No. 32nd St., Philadelphia, Pa.  
 Mr. Art Thomas, North Central Area Manpower, 4th & Montgomery Ave., Philadelphia, Pa.  
 Mr. Mark Trimble, 2318 W. Columbia Ave., Philadelphia, Pa.  
 Ms. Dorothy Walker, 506 W. Coulter St., Philadelphia, Pa.

Mr. Ben Warley, 1225 North Broad St., Philadelphia, Pa.  
 Mr. James Warner, 2127-72nd Avenue, Philadelphia, Pa.  
 Mr. Sam Washington, 1200 Columbia Avenue, Philadelphia, Pa.  
 Mr. Bob Watson, 1421 Arch Street, Philadelphia, Pa.  
 Mr. Donald Watson, 4339 Frankford Ave., Philadelphia, Pa.  
 Ms. Kathy Wessell, 3723 Chestnut Street, Philadelphia, Pa.  
 Ms. Jennie White, 2157 Elkins Avenue, Philadelphia, Pa.  
 Ms. Carolyn Williams, 845 No. 7th Street, Philadelphia, Pa.  
 Ms. Elestia Williams, 3555 No. Broad St., Philadelphia, Pa.  
 Ms. Louise Williams, 2029 So. 8th St., Philadelphia, Pa.  
 Mr. Jesse Woods, 235 W. Hortter St., Philadelphia, Pa.  
 Mr. Robin P. Woodson, 1724 W. Girard Ave., Philadelphia, Pa.  
 Ms. Lillian Wright, 3111 Dudley Drive, Philadelphia, Pa.  
 Miss Doris Wynn, 4624 Lancaster Ave., Philadelphia, Pa.  
 Mr. Sam Yarborough, 1316 Arch Street, Philadelphia, Pa.  
 Mr. Phil Zimmerman, 2151 No. Howard St., Philadelphia, Pa.

#### RESIDENTS COMPLAIN ABOUT POOR POSTAL SERVICE

HON. JAMES T. BROYHILL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. BROYHILL. Mr. Speaker, each day, I receive more and more specific complaints from residents of my congressional district about poor postal service. In addition, we continue to hear that the Postal Service has plans to close post offices that serve the smaller communities of our Nation. The post office provides a necessary service to all our communities, and in my judgment this policy should be most carefully studied before embarking on a program of closing smaller post offices around the country. Why should the smaller offices, located in the smaller communities, bear the total burden of cost savings in the Postal Service, when we all know that much of the problem of increasing postal costs is occurring in the larger cities?

I recently had the opportunity to comment on this situation before the Postal Service Subcommittee, and I would like to share these remarks with my colleagues:

STATEMENT OF CONGRESSMAN  
JAMES T. BROYHILL

Mr. Chairman, I want to thank you for the opportunity today to comment on our current postal system, and proposed changes in that system which would affect virtually every citizen in the United States.

Let me begin my remarks by paraphrasing a section of the Postal Reorganization Act, which I believe summarizes the very function of our mail delivery system. This Act states that the United States Postal Service shall be operated as a "basic" and "fundamental" service provided to U.S. Citizens by their government. The Act recognizes that the postal system is firmly rooted in our heritage, beginning with the post office system provided for in the Constitution by our

Founding Fathers. It emphasizes that the prime goal of the Postal Service is to unite our country through the correspondence of its citizens. Finally, the law provides for "prompt", "reliable", and "efficient" services to all areas and all communities in our country.

Although the intent of the Postal Reorganization Act was to unite the diverse segments of our country through efficient, reliable and timely delivery of correspondence, it would seem that the present system has become a mockery of its original purpose. The effect has been to divide our nation, as communities, small and large alike, line up to fight the termination of the very services for which the system was established.

Now, I wholeheartedly believe in and am dedicated to fiscal responsibility. And, I feel that each and every federal program should be evaluated and studied carefully for its worthiness. However, I also believe that the merits of a good mail service provided to each and every one of our citizens, regardless of where those citizens reside, stands on its own.

Last year, the General Accounting Office recommended closing some 12,000 third and fourth class post offices throughout the nation. The GAO stated the belief that by so doing, the U.S. Postal Service could save about \$100 million a year.

If correct, a hundred million dollars is no sum to be laughed at. But, when that figure is held up to the \$11.3 billion expenditures of the U.S. Postal Service in 1974, or the current Postal Service deficit of over \$1 billion, \$100 million is but a drop in the bucket. Less than eight-tenths of one percent of the total USPS budget!

Consider what the funds operating rural post offices buy. They provide mail delivery for our citizens. They provide a location at which stamps, postcards, and other postal necessities can be purchased. They provide a community center, a community identity, an ever-present representative of the Federal government in each community. They symbolize the very community itself.

In my Congressional District, over 48% of the post offices are classified as "small". By eliminating the small post offices, almost half the facilities in my District would be wiped out. And, it is hard to justify what North Carolina citizens would lose in light of such a relatively small savings.

Much has been said about the section of the Postal Reorganization Act which states, "The Postal Service shall provide a maximum degree of effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining. No small post office shall be closed solely for operating at a deficit, it being the specific intent of the Congress that effective postal services be insured to residents of both urban and rural communities." I believe that paragraph speaks for itself. Congress specifically provided for the continuation of good mail service for rural communities in this legislation, and it is up to Congress to ensure that these services remain.

I question whether equivalent or improved levels of service can be established by closing small post offices. True, the overhead costs would be eliminated. But, the postmaster must be relocated in most instances. The customers must still be served. The mail must still go through, regardless of whether the carrier picks it up at one station or another. And, what about the administrative costs of such an action? How many man-hours are spent calculating such changes, working out the new systems, getting citizen reaction, etc.?

In the end, the rural customers are the real losers.

Those in Washington making the decision to close one of the rural post offices in North Carolina have nothing to lose. They can buy their stamps around the corner. Their mail is

picked up two or three times a day. They do not have to spend mornings looking out the window, hoping to catch the mail carrier so that stamps can be purchased.

The point is, rural citizens deserve mail service equal to that of their more urban counterparts. I do not believe that rural post offices should be closed any more than I believe the local courthouse, the church, or the corner store should be removed. Instead, let us work together to study the problem and arrive at a solution benefitting all.

One alternative, which I believe should be explored more fully, is the Community Post Office idea. This, of course, is the system whereby operation of a post office is contracted to a citizen or citizens willing to take on the responsibility. Oftentimes, it is located in an establishment, such as a store, which saves the costs of overhead. One such facility is located in the famed Mast Store in Valle Crucis, North Carolina, and I believe this has shown that the CPO idea is a workable alternative. Perhaps the Postal Service should make more effort to publicize this idea to citizens of small communities.

Nothing can serve more to unite a community than an efficient post office system. Nothing can serve more to disintegrate a community than to take away one of its living symbols, the post office. I could no more easily contemplate a community without a post office, than the Capitol Building without a flag. The Post Office is the local community, and I believe it should remain so for future generations. Thank you.

#### REMOVE THE DEADLINE ON GI EDUCATION BENEFITS

**HON. BENJAMIN S. ROSENTHAL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. ROSENTHAL. Mr. Speaker, half a million young men and women who have served in the uniform of their country and are now enrolled in school face the threat of a cutoff in GI bill educational benefits on May 31 unless the Congress takes speedy action.

More than 3 million additional veterans may never have the opportunity to use their benefits because they will be taken away before ever having been tapped.

To prevent this needless injustice from occurring, I am sponsoring legislation to eliminate entirely the time limitation on utilization of GI bill educational benefits.

These benefits are more than a program of short-term social readjustment for returning veterans. They have come to be almost universally recognized as a part of the Nation's obligations to those who have served in its Armed Forces. An arbitrary deadline is inconsistent with this purpose and must be removed.

The House Veterans' Affairs Subcommittee on Education and Training is this week holding hearings on legislation to remove the deadline. I insert in the RECORD at this point my testimony in support of that legislation:

TESTIMONY OF CONGRESSMAN BENJAMIN S. ROSENTHAL

Mr. Chairman, Members of the Subcommittee, I welcome this opportunity to testify

before you in support of legislation eliminating the deadline on utilization of G.I. Bill educational benefits. As a sponsor of several of these measures, H.R. 11823, H.R. 11924, H.R. 11925, I urge prompt action to remove the sword hanging over the heads of half a million veterans now studying under the G.I. Bill. We must raise the barrier that may also prevent over 3 million men and women from obtaining the education they need, deserve and, indeed, have earned.

Were we to poll every Member of Congress on the necessity of aiding America's veterans, the chorus of pledges on their behalf would be heard in every military outpost on this globe. Unfortunately, these platitudinous commitments frequently crumble in the face of specific assistance programs. The Congress has before it bills which would enable millions of veterans to complete their education. Yet the Administration and numerous Representatives have conjured up horrible specters to block this legislation. Mr. Chairman, I would like to attempt to dispel some of those fears.

The common thread of the legislation before this Committee is elimination of the time limit on utilization of veterans' educational benefits. The statistics are familiar to us all: May 31, 3.7 million veterans will lose their eligibility for educational grants. The 500,000 who are now in school will find the Federal faucet abruptly turned off. Were Congress to remove the 10-year limit, veterans could utilize the available benefits at the time most beneficial to them. De-limitation would not only render G.I. benefits more accessible, but would also make their administration more flexible.

Yet opponents of this legislation raise philosophical and economic objections to it. Their major argument is that the original purpose of such grants was to facilitate veterans' readjustment to civilian life. Since the aid was to be short-term in nature, a restriction of its availability was appropriate.

Mr. Chairman, I readily concede that this was indeed the original aim of the G.I. benefits a generation ago when many of us here were returning veterans. Nevertheless, legislative programs evolve, and this one has been no exception. World War II veterans were required to enroll in an educational program within four years of their discharge and to complete it within nine years. Veterans of Korea received three years to enroll and nine to complete their education. Post-Korea veterans faced an unlimited enrollment period, but had to complete their education within eight years of discharge. As the deadline of that last program neared in 1974, Congress extended the utilization period to 10 years. All of these figures cast considerable doubt on whether the purpose of the educational benefits program is still merely to provide for short-term social readjustment.

The time has come to consider the G.I. Bill as something more than that, for it is actually fair compensation to the veteran for the service he has rendered his country. Veterans' benefits are the government's attempt to re-pay its defenders; as such, a numerical limit on their exercise is purely arbitrary. Is a veteran any less deserving of our help if he chooses to claim it after 11 years instead of after nine?

Opponents also object that it is "unfair" to grant some veterans assistance free of time constraints, while previous veterans could take advantage of such aid only within a restricted period. By the same simplistic reasoning, it was unfair to grant veterans of the Second War benefits not available to those of the First. It is better to admit deficiencies in earlier aid programs

than to restrict all future benefits to the lowest level of the past.

A third philosophical objection is that veterans have had ample time in which to solicit their educational grants. This is less than accurate. Only in 1974 did the Congress expand the benefits so as to make collegiate enrollment truly practical for many veterans. Those who then took advantage of the program now face a cut-off in assistance after only two years.

From a philosophical standpoint, then, the objections to delimitation indicate preoccupation with narrow debating points and unthinkable neglect for the meaningful advancement of these veterans.

The economic objectives are no more persuasive. Opponents, particularly in the Executive Branch, argue that a flexible utilization period would be too costly. Yet the legislation before us would not increase the 36 months of benefits to which veterans are entitled under 38 U.S.C. § 1661. Rather, these bills would concede that this amount is due all veterans and acknowledge that the spacing of the benefits is irrelevant. To the extent that aggregate costs have been less than they would be under this legislation, those savings occurred because many veterans were frozen out of funds to which they were legally entitled.

The cost argument is, above all, shortsighted. The G.I. Bill training which veterans receive prepares them for jobs which, in the long-run, will contribute to national output and provide additional tax revenues. Although we might trim one section of this year's budget by denying benefits to these veterans, such frugality may come at the cost of reduced productive capacity in the future.

A second economic objection is that other veterans' benefits deserve a higher priority. Certainly, Mr. Chairman, medical care and related services are vital—but so is career training. We should not juggle veterans' benefits like so many oranges. We must be willing to finance all those veterans' programs which we deem necessary.

From an economic standpoint, then, delimitation is ultimately in the best interests of the veterans and of the nation.

Mr. Chairman, the amount of funds which deletion of the benefit-utilization limit would entail is a fraction of one percent of our overall budget, or even of our military appropriations. This represents a small expenditure of dollars today, but in very human terms it is a tribute and a debt of gratitude to those men and women who have helped defend this country in the past, and it is an investment in America's future.

For over 3 million veterans, flexible educational benefits could mean the difference between a fruitless life and a productive one. These people served the nation when we needed them. It is now time for us to serve them.

#### IMPORTANCE OF MHD TECHNOLOGY

**HON. DAVID F. EMERY**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. EMERY. Mr. Speaker, the energy needs of this country now and for the foreseeable future will require wise and increasing use of coal. This is especially true in the case of electrical power generation, which historically used coal but now relies too heavily on oil and gas. The



United States has an abundant coal reserve—some 600 billion tons.

But traditional direct combustion of coal is not going to be the answer to our energy crisis: What we gain in terms of energy independence from the return to coal-fired electric generation facilities, we may lose in environmental degradation and associated costs in trying to clean up emissions.

In this country, the settling of the West depended on the coal-fired steam locomotive. The early electrification of our country was based on coal-fired boilers and steam turbines. What I am pointing out here is that we know and have known for a long time how to burn coal in a lot of ways to do a lot of different things. However, most of this knowledge arises from a cut-and-dried empirical approach. The science based technology of the last 75 years have made only limited practical contributions to the way we burn coal. The significant advances arise mostly in the area of metallurgy. Thus, we have better materials and fabrication methods to make combustors that produce heat from the coal in the same old ways. Fundamentally, this kind of combustion and the consequent heat conversion by devices like boilers and turbines are not very efficient. Our need for increased electrical power, in particular, requires that we look at new methods.

MHD, or coal fired magnetohydrodynamic generation of electricity is such a method. Coal is combusted at very high temperatures. The resultant combustion products are ionized. Thus charged, they are guided through a magnetic field and so generate electricity directly. Completely avoided are the boiler and steam turbine. However, what is also exciting about MHD is that the combustion products are still hot enough after passing through the magnetic field to run a conventional boiler-steam turbine system. The consequence is an extremely efficient way to use coal for making electricity. From a scientific viewpoint, MHD is also esthetically pleasing. It is a conceptually simple application of a general principle.

Though conceptually simple, practical achievement of MHD ultimate commercial application will take time and will require a lot of engineering R. & D. Not only must the process itself be further developed, but the technologies of materials used in the MHD combustion equipment must receive increased attention. In other words, we can develop a system, but if the combustion chamber and related components are incapable of withstanding the severe temperatures of the MHD process, we will be no better off than before.

Congress has taken the lead in recognizing the promise as well as the problems of MHD. Since 1971, when MHD was first funded through the Office of Coal Research in the Department of the Interior, the Congress has always raised the appropriations for MHD beyond the administration's request. This indicates the emphasis the Congress has placed on

the potential contributions which coal-fired MHD may offer to the Nation. Responding to the congressional emphasis, MHD has been given individual status as a subprogram in the Fossil Energy Division of the Energy Research and Development Administration.

ERDA has requested and the committee has concurred with an authorization for MHD of \$37,441,000 for 1977. Gentlemen, I urge you to keep faith with the traditional support that Congress has given to MHD. I urge you to keep faith with the people of our country for whom MHD holds so much promise in relieving their energy needs.

#### HISTORIC LANDMARK PRESERVATION

### HON. JEROME A. AMBRO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. AMBRO. Mr. Speaker, at about the same time that we were voting on the Land and Water Conservation Fund Act, the Glen Cove Record-Pilot, an award-winning community newspaper in my Third Congressional District in New York, was publishing an editorial urging local officials to renew their efforts in landmark preservation.

It is ironic that this legislation which earmarks money for historic preservation came up for a vote only a few days before the start of National Historic Preservation Week.

The vast majority of my colleagues joined me in passing this legislation which, in addition to setting aside millions of dollars for development of outdoor recreation facilities, authorizes the U.S. Treasury to spend almost \$1.2-billion during the next 13 years to preserve our historical cultural landmarks.

Recently an editorial was written by the Glen Cove Record-Pilot's new editor, Mr. Otto Erbar, a young newspaperman with several years of experience covering Long Island, its governments and people. His views on the topic—the need for historic preservation—are a fair representation of my concern for this topic.

Mr. Erbar opened the editorial by noting the start of National Historic Preservation Week and pointing out that there was no better time to begin comprehensive preservation planning. He singled out several structures in the city of Glen Cove for special attention.

We can think of several structures which demand preservation—the original Robert Coles House, built 1668 on The Place; the Valentine House, on the same street and dating from about 1770 and Townsend House on Duck Pond Road, another 18th century abode; and of course Pratt Oval.

The Coles House, in particular, is the last remnant of the earliest Glen Cove settlement called Mosquito Cove.

But time is running out.

And while we are the first to look forward to the progress of urban renewal, we must have something behind us to remind us of our roots. Landmarks give a community a sense of place and a strong foundation.

Mr. Erbar then mentioned several communities on the north shore of Long Island with strong preservation ordinances and outlined some of the problems in enforcing such local laws.

The young editor concluded his well researched editorial with a very astute observation about future architectural undertakings that meshed appropriately with his comments on historical landmarks.

Of course, any community leaders willing to grapple with the landmarks issue grapple with sticky intangibles such as esthetics and the difficulty in deciding why one building is worthy of protection and the other is not.

But we think it is worth the effort.

And while we are on the subject of architecture, it seems fitting in this Bicentennial Year to call for a rededication to taste and purpose in the designing of new buildings whose designs speak of contemporary values.

It is good for a community to sanction monuments of its past but necessary too to build monuments to its future.

#### ONE JOURNALIST'S MEMORIES OF HER ABORTION

### HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. MAZZOLI. Mr. Speaker, recognizing full well that not every woman reacts similarly to an abortion, the "Jane Doe" article appearing in the Washington Star on Sunday, May 16, details—in poignant fashion—how one woman reacted. It is worth a careful reading.

The article follows:

THERE JUST WASN'T ROOM IN OUR LIVES NOW  
FOR ANOTHER BABY

(By Jane Doe)

We were sitting in a bar on Lexington Avenue when I told my husband I was pregnant. It is not a memory I like to dwell on. Instead of the champagne and hope which had heralded the impending births of our first, second and third children, the news of this one was greeted with shocked silence and Scotch. "Jesus," my husband kept saying to himself, stirring the ice cubes around and around. "Oh, Jesus."

Oh, how we tried to rationalize it that night as the starting time for the movie came and went. My husband talked about his plans for a career change in the next year, to stem the staleness that 14 years with the same investment-banking firm had brought him. A new baby would preclude that option.

The timing wasn't right for me either. Having juggled pregnancies and child-care with what freelance jobs I could fit in between feedings, I had just taken on a full-time job. A new baby would put me right back in the nursery just when our youngest child was finally school age. It was time for us, we tried

to rationalize. There just wasn't room in our lives now for another baby. We both agreed. And agreed. And agreed.

How very considerate they are at the Women's Services, known formally as the center for Reproductive and Sexual Health. Yes, indeed, I could have an abortion that very Saturday morning and be out in time to drive to the country that afternoon. Bring a first morning urine specimen, a sanitary belt and napkins, a money order or \$125 cash—and a friend.

My friend turned out to be my husband, standing awkwardly and ill at ease as men always do in places that are exclusively for women, as I checked in at 9 a.m. Other men hovered around just as anxiously, knowing they had to be there, wishing they weren't. No one spoke. When I would be cycled out of there four hours later, the same men would be slumped in their same seats, locked down-cast in their cells of embarrassment.

The Saturday morning women's group was more dispirited than the men in the waiting room. There were around 15 of us, a mixture of races, ages and backgrounds. Three didn't speak English at all and a fourth, a pregnant Puerto Rican girl around 18, translated for them.

There were six black women (and a hodgepodge of whites, among them a T-shirted teen-ager who kept leaving the room to throw up and a puzzled middle-aged woman from Queens with three grown children).

"What form of birth control were you using?" the volunteer asked each one of us. The answer was inevitably "none." She then went on to describe the various forms of birth control available at the clinic, and offered them to each of us.

The youngest Puerto Rican girl was asked through the interpreter which she'd like to use: the loop, diaphragm or pills. She shook her head "no" three times. "You don't want to come back here again, do you?" the volunteer pressed. The girl's head was so low her chin rested on her breast bone. "Si," she whispered.

We had been there two hours by that time, filling out endless forms, giving blood and urine, receiving lectures. But unlike any other group of women I've been in, we didn't talk. Our common denominator, the one which usually floods across language and economic barriers into familiarity, today was one of shame. We were losing life that day, not giving it.

The group kept getting cut back to smaller, more workable units, and finally I was put in a small waiting room with just two other women. We changed into paper bathrobes and paper slippers and we rustled whenever we moved. One of the women in my room was shivering and an aide brought her a blanket.

"What's the matter?" the aide asked her. "I'm scared," the woman said. "How much will it hurt?" The aide smiled. "Oh, nothing worse than a couple of bad cramps," she said. "This afternoon you'll be dancing a jib."

I began to panic. Suddenly the rhetoric, the abortion marches I'd walked in, the telegrams sent to Albany to counteract the Friends of the Fetus, the Zero Population Growth buttons I'd worn, peeled away, and I was all alone with my microscopic baby. There were just the two of us there and soon, because it was more convenient for me and my husband, there would be one again.

How could it be that I, who am so neurotic about life that I step over bugs rather than on them, who spend hours planting flowers and vegetables in the spring even though we rent out the house and never see them, who make sure the children are vaccinated and inoculated and filled with Vitamin C, could so arbitrarily decide that this life shouldn't be?

"It's not a life," my husband had argued,

more to convince himself than me. "It's a bunch of cells smaller than my fingernail."

But any woman who has had children knows that certain feeling in her taut, swollen breasts, and the slight but constant ache in her uterus that signals the arrival of a life. Though I would march myself into blisters for a woman's right to exercise the option of motherhood, I discovered there in the waiting room that I was not the modern woman I thought I was.

When my name was called, my body felt so heavy the nurse had to help me into the examination room. I waited for my husband to burst through the door and yell "Stop," but of course he didn't. I concentrated on three black spots in the acoustic ceiling until they grew in size to the shape of saucers, while the doctor swabbed my insides with antiseptic.

"You're going to feel a burning sensation now," he said injecting Novocain into the neck of the womb. The pain was swift and severe and I twisted to get from him. He was hurting my baby, I reasoned, and the black saucers quivered in the air. "Stop," I cried. "Please stop." He shook his head, busy with his equipment. "It's too late to stop now," he said. "It'll just take a few more seconds."

What good sports we women are. And how obedient. Physically the pain passed even before the hum of the machine signalled that the vacuuming of my uterus was completed, my baby sucked up like ashes after a cocktail party. Ten minutes, start to finish. And I was back on the arms of the nurse.

There were 12 beds in the recovery room. Each one had a gaily flowered draw sheet and a soft green or blue thermal blanket. It was all very feminine. Lying on these beds for an hour or more were the shocked victims of their sex life, their full wombs now stripped clean, their futures less encumbered.

It was very quiet in that room. The only voice was that of the nurse, locating the new women who had just come in so she could monitor their blood pressure, and checking out the recovered women who were free to leave.

Juice was being passed about and I found myself sipping a Dixie cup of Hawaiian Punch. An older woman with tightly curled bleached hair was just getting up from the next bed. "That was no goddamn snap," she said, resting before putting on her miniskirt and high white boots. Other women came and went, some walking out as dazed as they had entered, others with a bounce that signalled they were going right back to Bloomingdale's.

Finally then, it was time for me to leave. I checked out, making an appointment to return in two weeks for an IUD insertion. My husband was slumped in the waiting room, clutching a single yellow rose wrapped in a wet paper towel and stuffed into a baggie.

We didn't talk the whole way home, but just held hands very tightly. At home there were more yellow roses and a tray in bed for me and the children's curiosity to divert.

It had certainly been a successful operation. I didn't bleed at all for two days, just as they had predicted, and then I bled only moderately for another four days. Within a week my breasts had subsided and the tenderness vanished, and my body felt mine again instead of the eggshell it becomes when it's protecting someone else.

My husband and I are back to planning our summer vacation and his career switch.

And it certainly does make more sense not to be having a baby right now—we say that to each other all the time. But I have this ghost now. A very little ghost that only appears when I'm seeing something beautiful, like the full moon on the ocean last weekend. And the baby waves at me. And I wave at the baby. "Of course, we have room," I cry to the ghost. "Of course, we do."

MEL LAIRD: LET'S STOP UNDERMINING THE CENTRAL INTELLIGENCE AGENCY

## HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. KEMP. Mr. Speaker, I bring to the attention of my colleagues an article by Melvin Laird, a distinguished member of the House for 16 years and the very able former Secretary of Defense. Mr. Laird points out that in undermining the CIA we are undermining our own security and that of the non-Communist nations, which are targets of massive Soviet KGB efforts to subvert them by buying control and by surreptitiously supplying vast sums to build the local Communist parties into the dominant political forces.

Too many Americans have been misled into believing that the CIA is the greatest threat to their freedom and to the independence of other nations. Too many of our citizens are totally unaware of the activities of the KGB—indeed, many do not even recognize the initials.

It is a subject that must concern all of us very deeply. It is nonsensical for the U.S. Congress to spend billions on defense against Communist aggression and unwittingly contribute to the success of KGB disinforming campaigns.

In the hopes that Mr. Laird's wisdom will contribute to the ability of the Congress to provide free-world leadership, I insert his article from the Reader's Digest into the RECORD:

### LET'S STOP UNDERMINING THE CIA

(By Melvin R. Laird)

(If the United States is to continue as a flag-bearer against totalitarianism, says this former Secretary of Defense, it must protect and preserve our international intelligence network.)

We Americans are on the verge of doing ourselves what our worst enemies have been unable to do: destroy our intelligence services.

Last year, Senate and House committees began searching investigations of the Central Intelligence Agency. The investigators' intent was honorable, and they have brought to light malpractices that must be curbed. According to Congressional findings and CIA admissions, during the 29 years the CIA has existed—1947 to 1976—agency personnel perpetrated the following questionable acts of domestic espionage: They illegally entered four homes or offices, tapped the phones of 27 people, placed five U.S. citizens under surveillance and infiltrated ten agents into the anti-war movement. For over two decades, they opened private mail received by Americans from communist countries. Additionally, in examining possible foreign influence on the anti-war movement, the CIA accumulated files on approximately 10,000 American citizens.

The side effects of these investigations, however, have proved much more harmful to the country than the ills that Congress sought to remedy. As CBS commentator Eric Sevareid recently declared: "We've had Congressmen breaking solemn agreements with the Executive by leaking classified information in the name of higher laws of their selection. We have had journalists breaking their word on information received off the record by leaking it to other journalists, which is morally the same as publishing it themselves. And, worse, we've had zealots publishing the



names of American intelligence personnel—which, in this time of terrorists everywhere, increases the risk of kidnapping and murder. To do this is to commit the moral equivalent of treason."

The dubious acts committed by the CIA have been distorted and magnified, while lurid charges flourished, often without a scintilla of substantiation. For example:

***Allegation:*** The CIA jeopardized public health by conducting biological-warfare experiments in New York City subways. ***Fact:*** The Army, to assess vulnerability of the transit system to sabotage, placed some innocuous powder in a subway, then measured how far it was wafted down the tunnel. The test menaced nobody. The CIA had no part in it.

***Allegation:*** The CIA placed secret informants on the White House staff to spy on the Presidency. Its chief White House "contact man" for a while was Alexander P. Butterfield, later director of the Federal Aviation Administration. ***Fact:*** Butterfield never had any connection with the CIA. For the past 20 years, like other agencies, the CIA, at White House request, has routinely assigned specialists to the Presidential staff.

***Allegation:*** The CIA has assassinated foreign leaders and perhaps even some Americans. ***Fact:*** More than a decade ago, when a *de facto* state of war existed between the United States and Cuba, the CIA involved itself in unsuccessful plots to kill Fidel Castro. It also considered poisoning Patrice Lumumba of the Republic of the Congo. But the prosaic truth, as established by the skeptical Senate investigators, is that the CIA never assassinated anyone anywhere.

#### HEMORRHAGE OF SECRETS

As the CIA's legitimate secret operations are exposed and its sensitive intelligence-gathering methods irresponsibly illuminated, our first line of defense against attack—and our only defense against covert attack—is becoming increasingly paralyzed. In foreign parliaments and press, the feasibility of confidential collaboration with America has been publicly questioned. Some countries have stopped confiding in us almost entirely for fear their confidences will be broken by Congress or the press. Individual foreigners who have risked their lives to secretly serve the United States—including agents well placed in the Soviet bloc and the Third World—have quit out of fear of identification. The difficulty of enlisting reliable new foreign sources has increased greatly.

Meanwhile, scores of gifted American men and women in the CIA possessing priceless expertise and experience have been disgusted at the pillory with which their patriotism has been rewarded, and many have even left. Important intelligence undertakings, approved by Congressional committees and the President as essential to the national interest, have collapsed in the glare of publicity. For instance, disclosures that the United States has used submarines in Soviet territorial waters to monitor Russian weapons tests have greatly diminished the flow of this vital intelligence.

The hemorrhage of secrets is also destroying the CIA's capacity to act covertly in Western interests. Sometimes the discreet provision of money, information, advice and other requested help affords the only practical means of countering subversion abroad. Repeatedly, the Soviet Union has sought to subvert other nations by buying control of politicians, bureaucrats, journalists and trade-union leaders, by surreptitiously supplying vast sums to build the local communist party into the dominant political force. Plans to combat such subversion lose all effectiveness if announced. If identified, recipients of our assistance forfeit credibility and become instant targets of venomous attack by communists and others.

#### RECORD OF SUCCESS

In an ideal world, we would need neither intelligence services nor armed forces. But we must have both if we are to survive in the real world of 1976, which has become very unsafe for democracy and the United States. Of the earth's 158 nations, only 39 presently maintain democratic, representative governments and open societies. Many of the totalitarian nations are fanatic in their hostility to freedom and to America. Our access to many indispensable natural resources depends upon fragile regimes. The complex daily functioning of our society is threatened by the phenomenon of international terrorism. Meanwhile, the Russians—besides their worldwide subversion, fomenting of revolution and support of terrorism—persist in an enormous, costly effort to attain undisputed military supremacy with which they hope to intimidate the West into further retreat.

To cope with all these threats and uncertainties, we must keep ourselves continuously and accurately informed as to what is happening, especially in those areas shrouded in totalitarian secrecy. To repel covert aggression, we must resort at times to covert methods. President Harry Truman and Congress recognized this when they created the CIA in 1947. And this unchanged reality has been recognized by every subsequent President—and Congress, except the present one.

Having served first on one of the Congressional committees that oversee our intelligence apparatus, and later as Secretary of Defense, I am familiar with some of the accomplishments of our intelligence services. Consider:

*During the past 25 years, the Soviet Union has not developed a single major new weapon without our knowing it well in advance.* Without such knowledge, we undoubtedly would have wasted untold billions preparing to counter threats which did not actually exist. Current efforts to negotiate curtailment of the nuclear-arms race are possible only because our precise intelligence enables us to count every Soviet missile, submarine and bomber, and to monitor Soviet compliance with the treaties achieved. If we destroy the effectiveness of the CIA, we will destroy with it whatever hope there is of negotiating any significant disarmament.

*Timely intelligence has helped avert war.* During the 1973 Arab-Israeli conflicts, U.S. intelligence—live agents and technical surveillance—detected Soviet preparations to dispatch troops to the Middle East. Thus alerted, we were able to initiate urgent diplomatic and other actions that persuaded the Russians to forgo military intervention.

A few years ago, our agents—or spies, if you will—ascertained that one non-communist country was about to attack another. Details cannot yet be made public. But we quickly and privately brought the countries together, laid out the facts, induced them to negotiate. CIA espionage thus prevented a war.

Since late 1973, U.S. intelligence has given both Israel and Egypt considerable sense of security by continuously showing each what the other is doing militarily. Given proof that neither is about to pounce on the other, the Arabs and Israelis have been willing at least to try to devise a formula for Middle East harmony. Our intelligence has bought the necessary time.

*Through infiltration of various terrorist movements, the CIA has aborted numerous plots.* On at least two occasions, the CIA has forestalled assassins bound for the United States with orders to kill elected public officials. It has also thwarted plans to kill prominent American Jews with letter bombs.

While Israel's premier Golda Meir was visiting New York City on March 4, 1973, police rushed to busy midtown intersections and hauled away two cars with enough Soviet-made explosives to kill everybody within

a 100-yard radius. The terrorist explosives were timed to detonate at noon, when streets would be most crowded. The disaster was prevented because we had advance warning of it.

Shortly before Christmas, 1973, the CIA learned that six small, hand-carried Soviet SA-7 missiles—extremely accurate against low-flying aircraft—were being smuggled in Libyan diplomatic pouches to Black September terrorists in Europe. The terrorists planned to shoot down a 747 landing in Rome. However, acting on CIA intelligence, European governments disrupted the operation and spared the lives of hundreds of holiday travelers.

*The CIA has frustrated communist subversion of other nations.* After World War II, the Soviet Union sponsored a massive clandestine effort to impose communist dictatorships on a weakened Western Europe. Communist operatives, dispensing millions of dollars, organized strikes to block Marshall Plan aid and engender chaos. They infiltrated the press, tried to buy elections. By providing intelligence, money and counsel, the CIA gave anti-totalitarian factions a fighting chance to resist. Given this chance, the Europeans proceeded to build healthy democracies, indispensable to our own welfare.

During the 1960s, with Soviet backing, Cuba tried to ignite guerrilla warfare and violent revolution in Latin America. While quietly urging needed social reforms, the CIA offered Latin Americans the intelligence and training they needed to repel Cuban aggression. The communists were defeated in Bolivia, Venezuela, Brazil, Uruguay, Guatemala and the Dominican Republic. Much the same pattern was repeated in sections of Africa where the Russians sought to establish new colonies for themselves. In the Middle East, too, the CIA has repeatedly aborted Soviet plots to seize control of Arab nations.

In retrospect, it is obvious that not all of the covert actions undertaken by the United States in the past 20 years have been wise or justified. I strongly believe that we never again should attempt to use military force covertly. Military action can succeed only if understood and endorsed by the public as well as Congress. However, if we abandon our capacity to discreetly help those who wish to resist externally inspired subversion—totalitarianism of either the left or right—we will reduce ourselves to a choice of abandoning them entirely or sending in the Marines.

In sum: If we allow our intelligence services to be rendered impotent, we will signal friend and foe alike that we lack both the will and the means to compete with totalitarianism. Unable to protect ourselves, or our friends abroad, America will shrink into isolationism, and our economy, denied essential foreign resources, will shrivel. Then we, and certainly our children, will discover too late that there is no place to hide from totalitarianism.

As a former Secretary of Defense, I believe that we should maintain armed forces stronger than those of any potential enemy. But without an equally strong intelligence service, our nation can never be secure. I know that. So do our friends and antagonists throughout the world.

JUDGE GLENN A. WYMORE

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1976

Mr. ANDERSON of California, Mr. Speaker, on June 2 the people of the harbor area will gather to pay tribute to

a man who has been a long-time member of their community. He is also a judge in the municipal court, Los Angeles Judicial District, and it is in both his private and public capacity that the Honorable Glenn A. Wymore will be honored.

Judge Wymore is currently assigned to the San Pedro Branch of the Municipal Court, but his associations in the Los Angeles harbor area are much deeper than his judicial assignment. He has served on the bench since his appointment in 1968, with all of his service coming while stationed at the San Pedro courthouse.

"Glenn" as he is known to his many friends in the community, was born in 1906 at Mankota, Kans. He moved to Los Angeles in 1923, graduating from Lincoln High School in 1927. In 1936, he completed the requirements for a bachelor of law degree from Southwestern University of Law.

Prior to receiving his appointment to the bench, Judge Wymore had a long and distinguished career in public serv-

ice. From 1929 to 1939, he was a deputy clerk in Los Angeles municipal court. After being admitted to the bar, he served as deputy public defender for the city of Los Angeles from 1939 to 1943. It was during this time—1941—that Glenn Wymore moved to the San Pedro area, where he has resided ever since.

Glenn Wymore pursued the private practice of law from 1945 until his appointment to the bench in 1968. He still found time for public service, however, as a member of the Public Utilities and Transportation Commission of the city of Los Angeles. During his tenure on the commission from 1961 to 1963, Glenn Wymore served a term as president of the commission.

Despite an active professional life and his devotion to his family, Judge Wymore has always found some time in which to devote his talents and energy to community service. He has been a member of the board of directors of the Bay Harbor Hospital, a nonprofit corporation, since 1957, and is a past president of that organization.

Judge Wymore is a past member of the San Pedro Chamber of Commerce board of directors. Professionally, he is a past president of the Harbor Bar Association. Since his appointment to the bench, Judge Wymore has been an honorary member of that group.

On June 2, the Los Angeles Harbor Area will honor Judge Wymore with a testimonial dinner, in recognition of his outstanding service on behalf of the public as a judge in municipal court. His many years as a resident in San Pedro have enabled him to make countless friends in our community, and I am sure that many of them will be present that night to help commemorate Judge Wymore's outstanding career, and wish him good luck as he continues in the future.

My wife, Lee, joins me in wishing Judge Glenn A. Wymore the best of luck as he continues his career in the Los Angeles Judicial District municipal court. We would also like to express our greeting and congratulations to his lovely wife, Dorothy, and their son, Michael.

## SENATE—Friday, May 21, 1976

The Senate met at 10 a.m. and was called to order by Hon. CARL T. CURTIS, a Senator from the State of Nebraska.

### PRAYER

The Reverend Seth R. Brooks, minister, Universalist National Memorial Church, Washington, D.C., offered the following prayer:

Our Father, we thank Thee we have been endowed with memory. We praise Thee as we look back and remember those who were founders and builders of this Nation. We know they bequeathed us a goodly heritage.

We are thankful we can look forward and know that, "Where there is no vision the people perish." We pray for Thy guidance in the time before us both as a nation and individuals.

We are conscious that it is in the present we must live one day at a time. We, therefore, ask Thee always to grant us wisdom and courage for the facing of each hour.

Bless our country, our President, this august body, and all who are in authority that our Nation may live in peace, humility, and high purpose.

Thine is the kingdom, the power, and the glory forever. Amen.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D.C., May 21, 1976.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. CARL T.

CURTIS, a Senator from the State of Nebraska, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,  
President pro tempore.

Mr. CURTIS thereupon took the chair as Acting President pro tempore.

### THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, May 20, 1976, be dispensed with.

The PRESIDING OFFICER (Mr. HOLLINGS). Without objection, it is so ordered.

### EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

### DEPARTMENT OF THE INTERIOR

The second assistant legislative clerk read the nomination of Ronald G. Coleman, of Virginia, to be an Assistant Secretary of the Interior.

The PRESIDING OFFICER. Without objection, the nomination is confirmed. Mr. MANSFIELD. Mr. President, I request that the President be notified of the confirmation of this nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

### LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

### CONSIDERATION OF CERTAIN MEASURES ON THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of calendar order Nos. 789, 817, 823, 825, 841, and 852.

The PRESIDING OFFICER. Without objection, it is so ordered.

### EXTENSION OF DISTRICT OF COLUMBIA MEDICAL AND DENTAL MANPOWER ACT

The bill (H.R. 12132) to extend as an emergency measure for 1 year the District of Columbia Medical and Dental Manpower Act of 1970 was considered, ordered to a third reading, read the third time, and passed.

### NATIONAL WEATHER MODIFICATION POLICY ACT OF 1976

The Senate proceeded to consider the bill (S. 3383) to authorize and direct the Secretary of Commerce to develop a national policy on weather modification, and for other purposes which had been reported from the Committee on Commerce, with amendments as follows:

On page 2, in line 4, strike out "projects have" and insert in lieu thereof "technology has".

On page 2, at the end of line 19, strike out "experimentation" and insert in lieu thereof "development".

On page 4, in line 7, strike out "the degree of development of".

On page 5, in line 25, strike out "statement of".

On page 6, in line 1, strike out "description of a"

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of